

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3605 OF 2024

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RAMESH
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Date: 2024.03.18
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Jagdish Keshubhai Chudasama (Trustee)

& Ors.

... Petitioners

V/s.

Vipul Ishwardas Mody & Anr.

... Respondents

Mr. Nimesh Mehta with Ms. Ssema Chettri for the petitioners.

Dr. Abhinav Chandrachud with Mr. Janay Jain, Mr. Nikhil Waje, Mr. Vishesh Srivastava and Ms. Nikita Kanojiya for respondent No.1.

Mr. Y. D. Patil, AGP for the State/respondent Nos.3 and 4.

CORAM : AMIT BORKAR, J.

DATED : MARCH 18, 2024

P.C.:

1. The petitioners are challenging an application allowing the amendment of an application under section 41D of the Maharashtra Public Trusts Act, 1950.

2. Only objection raised by the petitioners is that the application for amendment lack of particulars and is vague. It is not clear as to which portion is sought to be added by the contesting respondent.

3. Learned advocate for the respondents, therefore, on instructions seeks permission to withdraw the application for

amendment with liberty to file appropriate application alongwith schedule and details of proposed amendment.

4. Hence, application for amendment dated 11th August 2023, is permitted to be withdrawn with liberty to file fresh application for amendment alongwith better particulars.

5. It is open for the respondents to file application for amendment to incorporate details of the proposed amendment alongwith the amendment as contemplated by order dated 13th March 2024 in Writ Petition No.967 of 2024.

6. With the result, the amendment already carried out will have no effect.

7. The writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)