

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

Writ Petition No.14723 of 2024

Mr. Manish Jhunhunwala ... Petitioner.
V/s.
M/s. Prabhat General Agency and others ... Respondents.

Mr. Rustom Pardiwalla i/b. Rushabh Thacker	Advocate for the Petitioner
Mr.Yatin Shah a/w. MR. Vipul Makwana	Advocate for Respondents

CORAM : S.M. MODAK, J

DATE : 22 October 2024.

P.C. :

Heard learned Advocate for the petitioner-plaintiff and learned Advocate for the respondents-newly added defendants.

2. The trial Court has directed the plaintiff to carry out the amendment as permitted by this Court on 8 April 2024 (Coram: Milind Jadhav, J). The newly added defendants took objection that the amendment carried out by the petitioners is not as permitted by this Court.

3. According to learned Advocate for the petitioners, the submission of newly added defendants is recorded by this Court (Coram: Milind Jadhav, J) on 3 January 2024 describing defendant

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No.2 as a Karta of Shri Lacchiram Chudiwala HUF whereas learned Advocate for the respondents contend that this was not recorded in the order dated 8 April 2024 and hence not permissible.

4. Considering the above submissions, it will be better if this matter is placed before Justice Milind Jadhav.

5. The hearing of the suit is expedited and now the newly added defendants want to cross-examine the plaintiff. Plaintiff wants stay of the hearing of the suit. They assure that they will mention the matter before Justice Milind Jadhav on Thursday with the understanding that trial Court to adjourn the hearing of the Suit which is kept tomorrow.

(S.M. MODAK, J.)