

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

**WRIT PETITION NO.1070 OF 2021
WITH
INTERIM APPLICATION NO.8596 OF 2024**

Mandar Goswami
Versus
Ramesh Goswami & Ors.

...Petitioner/Applicant
...Respondents

Mr. Yash Pandya a/w Mr. Gaurav Dalvi i/b M/s Jayakar & Partners for
Petitioner/Applicant.
Mr. Sandeep Shinde i/b Ergo Juris for Respondent Nos.1 & 2.
Mr. A. I. Patel, Addl GP a/w Mr. S.L. Babar, AGP for Respondent No.3.
Mr. D. P. Singh for Respondent No.5.

**CORAM : K. R. SHRIRAM &
JITENDRA JAIN, JJ.
DATED : 22nd AUGUST 2024**

PC. :

INTERIM APPLICATION NO.8596 OF 2024

1 This application is for leave to amend the petition as per the proposed amendments annexed to the interim application. There is an affidavit of service of one Nandlal O. Kharwar, affirmed on 9th May 2024, in which, it is averred that all respondents, except respondent nos.6, 13 and 14 have been served. It is also stated as regards respondent nos.6, 13 and 14 that there is a noting of item unclaimed / returned.

2 Petition is yet to be admitted and considering the proposed amendments, we do not find it to be changing the nature and character of the petition. Mr. Shinde appearing for respondent nos.1 and 2 and Mr.

Singh appearing for respondent no.5 state that the court may allow the amendment keeping open the rights and contentions of their respective clients. Other respondents have not filed any affidavit in reply opposing the interim application. Nevertheless, we would keep their rights and contentions also open.

3 Therefore, keeping open the rights and contentions of all respondents, interim application is allowed in terms of prayer clause (a). Leave to amend as per the proposed amendments to be carried out and amended copy of the petition to be served within two weeks from today.

4 Interim application disposed

(JITENDRA JAIN, J.)

(K. R. SHRIRAM, J.)