



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 2395 OF 2024

(SMT. GEETA KRUSHNAJI KAWALE & OTH....VS.. NARAYANSING OMKARSING BAGHEL & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.D.Ramteke, Advocate for Petitioners.

CORAM : ANIL S. KILOR, J.
DATED : APRIL 18, 2024.

1. Heard.
2. The rejection of the application for amendment filed under Order VI Rule 17 of the Code of Civil Procedure after commencement of the trial i.e. at the stage of recording of examination-in-chief of the plaintiffs, is under challenge in this writ petition.
3. By the amendment to the written statement, the defendants propose to bring on record certain transactions of the plaintiffs to show that they are in a habit of grabbing the lands.
4. The learned trial Court rejected the application on the ground that the suit is for specific performance and the proposed amendment does not appear to be necessary for deciding the real controversy amongst the plaintiffs and the defendants.

5. After going through the proposed amendment, I do not find any error committed by the learned trial Court in holding that such amendment is not necessary for deciding the real controversy involved in the present matter. Accordingly, since, there is no merit in the writ petition, the Writ Petition is **dismissed**. No order as to costs.

JUDGE

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