

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9406 OF 2023

Balaji Gangadharrao Patil

VERSUS

Nikita Tukaram Suryawanshi And Others

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Advocate for the Petitioner : Mr. Momle Uddhav L.

Advocate for Respondent Nos.1 to 5 : Mr. Patil Ramchandra S.

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATED : DECEMBER 18, 2025

PER COURT :

1. Heard learned counsel for respective parties.
2. By way of present petition, the petitioner challenges the order dated 13.04.2023 passed Exhibit-42 by the learned Civil Judge Junior Division, Degloor in R.C.S. No.397 of 2017, whereby the application filed by the petitioner for amendment of plaint under Order 6 Rule 17 of the Civil Procedure Code came to be rejected.
3. Learned counsel for the petitioner submits that the suit is for simplicitor injunction and therefore, some description was incorrectly mentioned in the plaint and he wants to add prayer clause pursuant to amendment.
4. Having heard the learned counsel for the petitioner and after going through the order passed by the learned Trial Court, it reveals that when the suit was filed, in the plaint the petitioner has not mentioned the property, admeasuring area and boundaries.

Therefore, same thing has been incorporated again in the application. Therefore, the learned Trial Court recorded the findings to that effect and after going through the same, I do not find any reason to interfere with the order passed by the learned Trial Court.

5. The petition is dismissed. No order as to cost.

(SIDDHESHWAR S. THOMBRE, J.)