



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO. 9909 OF 2022

Linguram Irwanta Nalgonde

VERSUS

Vekat Sayanna Nalgonde And Another

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Advocate for the Petitioner : Mr. Golewar V.P

Advocate for Respondent No.2 : Mr. A.G. Vasmatkar

Advocate for Respondent No.1 : Mr. U.B. Bilolikar

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CORAM : ROHIT W. JOSHI, J.

DATE : 19th AUGUST, 2025

P.C.:

1. Present petition takes exception to order dated 14.07.2022 passed by learned Civil Judge, Senior Division, Biloli on application at Exhibit-25, which is purportedly an application for amendment of plaint. However, perusal of application does not indicate any portion which is sought to be inserted in the plaint by way of amendment.
2. It appears that plaintiff intends to add the subsequent purchaser of suit property as additional defendant. Whenever a party is added as defendant, the plaint is required to be amended in view of mandate of Order I Rule 10(4) of the Civil Procedure Code.
3. Since the application is not in order, learned advocate for petitioner seeks permission to withdraw the petition with liberty to file fresh application for addition of party and amendment of plaint.
4. The petition is disposed of as withdrawn with liberty as prayed

for.

5. Application, if any filed, be decided on its own merit in accordance with law.

[ROHIT W. JOSHI J.]