



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

43 WRIT PETITION NO. 2449 OF 2025

**SURESH BANSILAL SONAVANE AND OTHERS
VERSUS
VASANT GHANSHAM SONAWANE AND OTHERS**

...

Advocate for the Petitioner : Mr. S. G. Kawade
AGP for Respondent-State : Mr. P. P. Dawalkar

...

CORAM : KISHORE C. SANT, J.

Dated : February 26, 2025

PER COURT :-

1. Heard the learned Advocate for the petitioners.
2. This petition is filed for challenging an order passed below Exh-25 in Regular Civil Suit No. 80 of 2023 rejecting the application seeking amendment by the original defendants i.e. present petitioners.
3. The petitioners were defendants, namely, Suresh, Ramesh, Ganesh and Wanmala. The suit for partition came to be decreed. The petitioners along with others filed suit bearing RCA No. 80 of 2023. In the said suit, the petitioners filed an application seeking amendment. The amendment sought is as regards inclusion of two more properties, which

were not subject matter of the civil suit.

4. Respondent Nos. 1 to 7 in the appeal vehemently opposed the application.

5. The learned Trial Court observed that considering the application on merits, it is found that, the properties which are sought to be incorporated were pleaded before the Trial Court. No any objection was raised about inclusion of these properties and rejected the application.

6. This Court finds that no case is made out by the petitioner. In spite of due diligence, they could not file an application for amendment and could not incorporated these properties in the written statement. This Court does not find any merit in the writ petition.

7. The writ petition stands disposed off, with no order as to costs.

(KISHORE C. SANT, J.)