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wp4962.25

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

48 WRIT PETITION NO. 4962 OF 2025

SAROJ KRISHNAN KUTTI THROU HER GPA NASER GANI KHAN

VERSUS

PATRIC JOSEPH ALIAS PATRIC KESHAVAN

Mr.B.N. Magar, Advocate for the petitioner.

CORAM : KISHORE C. SANT, J.

DATE : 23.04.2025

PC :-

01. Issue notice to the respondents, returnable on 16.07.2025.
02. On the point of interim relief, learned Advocate for the petitioner submits that the application filed by the plaintiff is allowed by the Trial Judge after the evidence is started. This Court has gone through the application for amendment. It is seen that only justification given for filing the application after starting of the evidence is that the plaintiff received some documents during pendency of the suit and in view of those documents, the amendment is felt necessary. The learned Trial Judge, without considering the proviso to Order VI Rule 17 of the Code of Civil Procedure that no amendment can be allowed after commencement of the trial, has passed the order.

03. Considering the above, issue notice to the respondents, returnable on 16.07.2025.

04. Till next date, there shall be ad-interim relief in terms of prayer clause (D).

[KISHORE C. SANT, J.]