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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9359 OF 2023

Maruti Govind Sapkal & Ors. ... Petitioner
V/s.
Sulochana Pandurang Sapkal & Anr. ... Respondents

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Mr. Prabhanjan B. Gujar for the petitioner.
Mr. Sachin Dhakephalkar for the respondents.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 16, 2025

P.C.:

1. The Appellate Court by the impugned order rejected petitioner's application for amendment of plaint on the ground that the petitioner failed to plead and prove due diligence as required by the proviso to Order 6 Rule 17 of the Code of Civil Procedure, 1908.
2. On perusal of the application, it is evident that the petitioner has failed to prove due diligence as required under proviso to Order 6 Rule 17 of the CPC. The Appellate Court was, therefore, justified in rejecting the application.
3. The writ petition accordingly stands dismissed. No costs.

(AMIT BORKAR, J.)