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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST.) NO. 92870 OF 2020

Satyabhama Ekanath Mane and Ors. ... Petitioners

V/s.

Rohan Dattatray Ahirekar and Ors. ... Respondents

**WITH
WRIT PETITION (ST.) NO. 93010 OF 2020**

Ramkisan Balkisan Bhatiya ... Petitioner

V/s.

Rohan Dattatray Ahirekar and Ors. ... Respondents

**WITH
WRIT PETITION NO. 575 OF 2021**

Amanullakhan Akhatarkhan Pathan ... Petitioner

V/s.

Rohan Dattatray Ahirekar and Ors. ... Respondents

**WITH
WRIT PETITION NO. 577 OF 2021**

Pramod Ramdas Suryawanshi ... Petitioner

V/s.

Rohan Dattatray Ahirekar and Ors. ... Respondents

Mr. Kirankumar Phakade for the Petitioners
None for the Respondents

CORAM : ALOK ARADHE, CJ.

DATE : 08 JULY 2025

P.C. :

1. None for the Respondents though served.
2. In this Petition under Article 227 of the Constitution of India, the Petitioner has assailed the validity of the order dated 2 March 2020, passed by the Civil Judge, Junior Division, Koregaon, by which application seeking amendment of the written statement has been rejected by the Trial Court.
3. Facts giving rise to filing of this Petition briefly stated are that the Respondents had filed a suit seeking the relief of possession and arrears of rent in respect of the suit property against the Petitioners. The Petitioners filed the written statement on 13 October 2014. The Petitioners thereafter placed the forged documents and made an application for amendment of the written statement by which the plea taken in the earlier written statement was sought to be elaborated. The Trial Court, however, by an order dated 2 March 2020, rejected the application for amendment on the ground that the trial has commenced. Hence, this Petition.
5. I have heard the learned Counsel for the Petitioner at length and have perused the proposed amendment.
6. The proposed amendment is clarificatory in nature and does not

seek to withdraw any plea which has been taken by the Petitioners in the previous written statement. It is trite law that an application for amendment cannot be rejected solely on the ground of delay. The impugned order therefore suffers from the error apparent on the face of record. It is accordingly quashed and set aside.

7. The Application for amendment of the written statement is allowed subject to payment of cost of Rs.3,000/- each within a period of two weeks from today. The Civil Suit is pending since 2013. Therefore, the Trial Court shall make an endeavour to conclude the same expeditiously.

8. Accordingly, the Writ Petitions are disposed of.

(CHIEF JUSTICE)