

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5641 OF 2025
WITH
INTERIM APPLICATION NO.7729 OF 2025**

Seeta Anil Sawant & Ors.Petitioners
Vs.
Shankar Eknath Salunkhe & Anr.Respondents

Mr. R. M. Haridas i/b Mr. Prasad P Kulkarni, for the Petitioners.
Mr. Dilip Bodake with Mr. Sharad Bhosale, Mr. Amar P. Dhmal and
Mr. Saiprasad Patil, for Respondents.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 6th November 2025

P.C.:-

1. The present Writ Petition takes exception to order dated 22nd January 2024 passed below Exhibit-59 in Regular Civil Suit No.86 of 2020 by learned Civil Judge, Junior Division, Mhada, District- Solapur, thereby, allowing application filed by Plaintiffs seeking amendment in Paragraph No.6(a) of plaint.
2. The learned Trial Court, after considering objections of Defendants, allowed amendment observing that proposed amendment would neither changes nature of suit nor cause any prejudice to other side. It is further observed that

objection regarding jurisdiction of Civil Court to delve into legality of mutation entry is kept specifically open. It can be observed that although amendment in plaint has been allowed, Defendant is entitled to refute contentions introduced by amendment and also raise necessary defences opposing contents thereof.

3. Needless to state here that Petitioners shall be entitled to raise all defenses pertaining to merits of amendment during course of trial. In that view of matter, there is no reason to entertain present Writ Petition. Accordingly, Writ Petition is **disposed of**.

(S. G. CHAPALGAONKAR, J.)