

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11544 OF 2024**

Namdeo Pandurang Ghatge & Ors.Petitioners

Vs.

Pandurang santu Ghatge & Ors.Respondents

Mr. Prajakt M. Arjunwadkar with Mr. Dhananjay A. Utture, for the Petitioners.

Mr. S. C. Mangle with Mr. Suhas Deokar, for Respondent Nos.3 & 4.

Mr. Viraj Nalawade with Ms. Tanvi Lad, Mr. Girish Mujumdar, Ms. Sharvari Tipugade & Mr. Deepak Patil, for Respondent No.5.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 15th DECEMBER 2025

PC.:-

1. The present Writ Petition takes exception to order dated 5th January 2024 passed by Civil Judge, Senior Division, Kolhapur below Exhibit 42 in Special Civil Suit No.134 of 2022, by which application seeking amendment in plaint has been rejected.

2. It appears that Special Civil Suit No.134 of 2022 has suffered rejection of plaint. The said order can be subject to appeal. If Petitioner files appeal against order of rejection of plaint and succeeds to get it restored, Petitioners can have liberty to challenge order dated 5th January 2024.

3. However, since Petitioners have already suffered rejection of
plaint and suit is no more pending, Writ Petition shall stand disposed
of with liberty in favour of Petitioner to file fresh application/
petition, if occasion so arises.

(S. G. CHAPALGAONKAR, J.)

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