

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11144 OF 2025

Sunil Naval Magdum & Ors.Petitioners

Vs.

Navalkumar Bhimrao Halbagol Ors.Respondents

Mr. Samrat M. Raibagkar, for the Petitioners.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 11th SEPTEMBER 2025

PC.:-

1. Heard.
2. Issue notice to Respondent, returnable on **9th October 2025.**
3. Learned counsel appearing for the Petitioners submits that Application for amendment of plaint has been allowed after commencement of trial without any explanation for delay in filing Application for amendment or without stipulation as to due diligence, which is contrary to proviso appended to Order VI Rule 17 of Civil Procedure Code.

4. He would submit that reliance of learned Trial Court on proposition of law laid down in case of *Life Insurance Corporation Vs Sanjeev Builders Private Limited and Anr*¹ is misplaced.

5. Considering submissions advanced, there shall be ad-interim relief in terms of prayer clause (c).

(S. G. CHAPALGAONKAR, J.)

¹ AIR 2022 SC 4256.