

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.43 OF 2025

Sandeep Gautam Surana

...Petitioner

Versus

Reena Sandeep Surana

...Respondent

Mr. Satyavrat Joshi i/b Shivani Sunil Kondekar, for the Petitioner.

CORAM: MADHAV J. JAMDAR, J.

DATED: 14 JANUARY 2025

P.C.:

1. By the present Writ Petition preferred under Article 227 of the Constitution of India, the Petitioner is challenging the legality and validity of the Order dated 18th November 2024 passed by the learned Judge, Family Court, Pune below Exhibit – 18 in P. A. No.447 of 2021. The said Application bearing Exhibit – 18 has been filed under Order VI Rule 17 of the *Code of Civil Procedure, 1908* seeking amendment in the Petition and the same has been allowed.
2. Mr. Joshi, learned Counsel for the Petitioner states that issues are framed, however, the evidence has not yet started. Thus, trial has not yet started. As per the settled legal position the pre-trial amendments are required to be considered liberally.
3. Mr. Joshi, learned Counsel raises certain contentions which are

regarding the merits of the proposed amendment. However, it is settled legal position that, at the time of considering the amendment application, merits of the contentions which are proposed to be brought on record by the proposed amendment are not to be considered.

4. In any case, there will be no prejudice to the Petitioner as the Petitioner will be entitled to file an additional written statement. In fact, the learned Judge of the Family Court has already granted that relief in the impugned Order.

5. Accordingly, no case is made out for interference in the impugned Order.

6. The Writ Petition is dismissed, however, with no order as to costs.

[MADHAV J. JAMDAR, J.]