

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1874 OF 2025

Dinkar Laxman Patil

..Petitioner

Versus

State of Maharashtra Through Collector Kolhapur
& Ors

...Respondents

Mr. Manoj M. Sabale, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 18th FEBRUARY 2025

P.C.:

- 1.** Heard the learned Counsel for the petitioner.
- 2.** This petition assails an order dated 26th September, 2022 passed by the learned Civil Judge on an application for amendment in the plaint, whereby the said application seeking amendment in the plaint so as to claim title over the suit property by way of adverse possession came to be rejected on the premise that it would change the nature of the suit. The petitioner preferred an application for review which also came to be rejected by an order dated 10th July, 2024. Both the orders are assailed in this petition.
- 3.** I have perused the averments in the plaint. In paragraph 14 of the plaint, there are averments that the plaintiff had perfected the title over

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the suit property by way of adverse possession. Thus, an arguable question is raised.

4. Issue notice to the respondents, returnable on 26th February, 2025.

5. In addition to notice through Court, the petitioner is at liberty to serve the respondents by private service and file affidavit of service.

6. In the meanwhile, there shall be an ad-interim relief in terms of prayer clause (c).

[N. J. JAMADAR, J.]