

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.13557 OF 2024

Grampanchayat Sayyed Pimpri
V/S

....Petitioner

Darghah Hajrat Sayyed Baba
@ Kabrasthan and Idhgah Trust & Ors.

....Respondents

Mr. Sahil A. Pandire *for the Petitioner.*

Mr. Rajesh D. Gujrathi *for Respondent No.1.*

Ms. A.A. Nadkarni, AGP *for Respondent Nos.2 and 3 / State.*

**CORAM: SANDEEP V. MARNE, J.
DATE : 17 MARCH 2025.**

P.C.:

1. The Petition challenges order dated 20 August 2024 passed by Maharashtra State Waqf Tribunal (**Waqf Tribunal**) allowing the application for amendment of the plaint filed in Waqf Suit No.35 of 2021.

2. Without entering into the issue on maintainability of the present Petition in the light of provisions of sub-section 9 of Section 83 of the Waqf Act, 1995, it is observed that the amendment is necessitated on account of occurrence of subsequent events. The amendment application specifically

averred that certain actions are taken by the Defendants after commencement of the trial. In that view of the matter, there would be no bar for amendment of plaint after commencement of the Trial in the present case. Since the amendment is necessitated on account of occurrence of events after commencement of evidence, I am not inclined to interfere in the impugned order passed by the Waqf Tribunal. The Petition is accordingly **rejected**.

(SANDEEP V. MARNE, J.)

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