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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1334 OF 2025**

Ravindra Trambak Pawar ... Petitioner

Vs.

Shri Digambar Motiram Jadhav ... Respondents
and Others

Mr. Kunal Damle a/w. M/s. Jay & Co. for the Petitioner.

CORAM : GAURI GODSE, J.

DATE : 29th JULY 2025

ORDER :

1. Not on board. Taken on production board.
2. This petition is filed by the added defendant no. 2. By the impugned order the present petitioner is added as party defendant by exercising powers under Order I Rule 10(2) of the Civil Procedure Code, 1908. By the impugned order the amendment to the plaint is permitted. The amendment is allowed mainly on the grounds that for proper adjudication of the dispute the present petitioner would be a necessary party and to avoid multiplicity of proceedings
3. The impugned order is purely an interlocutory order.

Normally, the court should be slow in interfering with such interlocutory order. In view of Section 105 of the Code of Civil Procedure, 1908 ("CPC") it will always be open for the petitioner to challenge the impugned order in an appeal, in the event the final decree is adverse to the petitioner.

4. Hence, this is not a case to interfere with the impugned order in exercise of the discretionary jurisdiction under Article 227 of the Constitution of India.

5. The petitioner would be at liberty to file written statement within six weeks with liberty to raise all contentions as permissible in law, including the contentions raised in this petition on merits of the suit.

6. Subject to the aforesaid observations, and reserving the right under Section 105 of the CPC, the petition is dismissed.

[GAURI GODSE, J.]