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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9939 OF 2025

Ibrahim Mahamad Inamdar

.....Petitioner

Vs.

Ansar Mahamad Inamdar

.....Respondent

Mr. Nagesh Chavan a/w Mr. Dattatray Yadav, Ms. Ankita Chindage
for the petitioner

CORAM : GAURI GODSE, J.

DATE : 18th JULY 2025

ORDER:

Not on board. Taken on the production board.

1. By this petition, the defendant seeks to challenge the order rejecting his application for extension of time to carry out amendment as per order passed below Exh. 55 on 29th November 2024.

2. Learned counsel for the petitioner submits that inadvertently, the amendment could not be carried out within the stipulated time, however, the defendant made an application subsequently to seek

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leave to carry out amendment. Learned counsel for the petitioner submits that the petitioner is willing to pay Rs. 5000/- towards cost to compensate the default and the delay on the part of the defendant. He, further submits that the suit is posted for recording cross-examination of the plaintiff. He, therefore, submits that the petitioner be permitted to carry out amendment and recording of cross-examination be deferred till the petitioner is permitted to carry out amendment.

3. The petitioner is permitted to deposit cost of Rs. 5000/- in the Trial Court within two weeks from today. If cost is paid, the plaintiff would be entitled to withdraw the amount of cost. Hence, following order is passed.

ORDER

I. Issue notice to the respondent for final disposal of the petition at admission stage, returnable on 22nd August 2025.

II. In addition to Court notice, learned advocate for the petitioner shall serve the respondent by private notice and file affidavit of service before the next

date.

III. The Trial Court shall defer the recording of evidence beyond the returnable date in this petition.

IV. Learned advocate for the petitioner shall ensure that the copy is supplied for issuing Court notice by taking Hamdast, failing which the ad-interim protection granted by this order shall stand vacated.

V. It is clarified that if cost as directed is not paid within two weeks from today, this petition will stand dismissed without further reference to the Court.

4. Stand over to 22nd August 2025.

5. To be listed high on board in the caption of 'Fresh Admission'.

[GAURI GODSE, J.]