



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR**

**MISC. CIVIL APPLICATION (REVIEW) NO.1018 OF 2024
IN
WRIT PETITION NO.6687 OF 2022**

Nazma Begum Wd/o Babbukhan and Ors. ...Applicants/
Original Petitioners

Versus

Akhtari D/o Mohd. Umar and Ors. ...Respondents

....

Mr. P. P. Kothari a/w Mr. Nitin A. Lalwani, Advocates for the
Applicants.

....

CORAM : N. R. BORKAR, J.

DATE : 17th APRIL, 2025

ORDER :

1. By this application, a review of the order passed by
this Court dated 03.10.2024 in Writ Petition No.6687 of 2022
is sought.

2. I have heard the learned counsel for the Applicants.

3. The learned counsel for the Applicants submits that
this Court, while dismissing the Petition filed by the
applicants, has not considered the legal position that the
amendment to plaint can not be allowed after passing of the
decree, when by amendment description of property is sought

to be charged. It is submitted that this Court has also not considered the legal position that if the plaint is allowed to be amended, then opportunity to carry out consequential amendment to written statement needs to be granted and in such eventuality, it would amount to retrial, which is not permissible.

4. I have perused the order dated 03.10.2024. In view of the finding recorded in the said order that there is a specific decree in respect of third room, I am not inclined to entertain the present Review Application. The Misc. Civil Application is therefore dismissed.

(N. R. BORKAR, J.)