



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

Writ Petition No.3651 of 2024

Prashant s/o Sawarmal Agrawal and another Vs. Mohanlal s/o Maluramji Agrawal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. K.J.Topale, Advocate for petitioners.
Mr. P.A.Pawade, Advocate for respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 15/10/2025.

1. Heard Mr. Topale, learned counsel for petitioners and Mr.Pawde, learned counsel for respondent.

2. The petitioner has challenged the order dated 9.5.2024 passed below Exhibit 81 by learned Civil Judge, Junior Division, Arvi, District Wardha in Regular Civil Suit No.27/2012, thereby allowing the application for amendment.

3. The learned counsel for the petitioners invited my attention to the impugned order dated 9.5.2024 and submitted that the learned Trial Court has not recorded any reasons while deciding the application and same was allowed. It is expected of the Trial Court to pass a well-reasoned order after considering the submissions of both parties. In the present case, the Trial Court failed to assign any reasons while allowing the application. Hence, the impugned order cannot be sustained.

4. In view of the above, the impugned order dated 9.5.2024, passed on Exhibit 81 by learned Civil Judge, Junior Division, Arvi, District Wardha in Regular Civil Suit No.27/2012, is set aside, and the application is restored to the file of the Trial Court. The Trial Court is directed to decide the said application afresh after granting an opportunity of hearing to both the parties

and by passing a reasoned order in accordance with law.

5. The petition stands disposed of accordingly.

(Siddheshwar S. Thombre, J)

mukund ambulkar