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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 4576/2024

Bharti Bajoria & another

...VERSUS...

Prashant Bajoria & others

Office Notes, Office Memoranda of Coram, Court's or Judge's orders
appearances, Court's orders or directions
and Registrar's orders

Shri S.S. Sohoni, Advocate for the Petitioner(s)
S/Shri A.B. Patil & A.B. Nakshane, Advocates for the Respondent Nos. 5 & 6
Shri M.I. Dhattrak, Advocate for the Respondent Nos. 7-11

CORAM:- M.S. JAWALKAR, J.
APRIL 25, 2025

. Heard learned Counsel for the respective parties.

(2) At the outset, learned Counsel for the Respondents drawn my attention to the provisions of the National Highways Act, 1956 and it is pleaded that there is an alternate remedy available in the said Act as per Section 3H. As such, impleadment of the National Highway Authorities was not found necessary.

(3) Learned Counsel for the Petitioners filed across the bar a Pursis dated 25/04/2025 by which permission is sought to amend the Plaint i.e. Special Civil Suit No. 21/2017 by adding Paragraph Nos. 1 to 3 of the

said Pursis as Paragraph Nos. 12(1) to 12(3) in the Plaint. The said Pursis is taken on record and marked as 'X' for identification.

(4) After going through the said proposed amendment, I do not see any impediment in allowing the proposed amendment to the Plaint.

(5) Accordingly, the Petitioners are permitted to amend the Plaint by adding Paragraph Nos. 1 to 3 of the Pursis dated 25/04/2025 as Paragraph Nos. 12(1) to 12(3) in the Plaint i.e. Special Civil Suit No. 21/2017 pending before the learned Civil Judge Senior Division, Yavatmal. Necessary amendment to be carried out within a period of two weeks from today.

(6) As such, the order dated 06/03/2024 passed below Exhibit 88 in Special Civil Suit No. 21/2017 by the learned Civil Judge Senior Division, Yavatmal stands modified accordingly.

(7) The Writ Petition stands **disposed of** in the above terms.

(M.S. JAWALKAR, J.)