



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

WRIT PETITION No.4339 OF 2025

(Janardan Kisan Gangawane and others Vs. Nivrutti Dagduji Gangwane and others)

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

Court's or Judge's orders.

Mr. S.S. Deshpande, Advocate for petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 08th AUGUST, 2025.

1. Heard Mr. Sachin S. Deshpande, learned counsel for the petitioners.

2. The petitioners have challenged the order passed by the trial Court rejecting the application for amendment filed by the petitioners/plaintiffs. It is submitted that by way of amendment the petitioners sought to incorporate subsequent events and a prayer seeking possession. It is submitted that by order dated 17th July, 2023 in Writ Petition No.1704/2020 in a petition in between the parties, this Court had directed the parties to maintain status-quo as regards possession during the pendency of the suit. However, since the defendants have disturbed the plaintiff's possession, the prayer for seeking possession was required to be added by way of amendment. It

is submitted that the trial Court has ignored these vital aspects and rejected the amendment application.

3. Issue notice to the respondents, returnable after three weeks. Mrs. M.S. Naik, learned A.G.P. waives service of notice on behalf of respondent Nos.3,5 and 6.

4. In the meantime, ad-interim relief in terms of prayer clause (2), which is reproduced below :

“Stay the proceedings in Regular Civil Suit No.5/2018 pending before Joint Civil Judge, Senior Division, Washim at Annexure-A till the decision of petition.”

(PRAFULLA S. KHUBALKAR, J.)