



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7781 OF 2025

VATSALABAI YESU CHANDE AND OTHERS
VERSUS
THE SECRETARY MAKA VIKAS KARYAKARI SEVA SOCIETY LTD.
AND ANOTHER

.....
Advocate for the Petitioner : Mr. Tejas Sanjay Kotkar
Advocate for Respondents : Mr. A. G. Ambetkar
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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 08th JUNE, 2026.

PER COURT :

1. The petitioners impugn order dated 03.05.2025 passed by learned Civil Judge Senior Division, Newasa, Dist. Ahmednagar in Regular Civil Suit No.1167 of 2020 whereby petitioners' application seeking amendment in plaint has been rejected.

2. Perusal of impugned order shows that petitioners sought amendment in plaint only on ground that defendants had placed on record a copy of order dated 10.06.2024 passed by Deputy Superintendent of Land Records. The Trial Court considered nature of dispute between the parties. It has been observed that dispute relates to identity of Survey No.276/2/A and City Survey No.572. The question requires determination in suit is whether Survey No.572 and City Survey

No.276/2/A are one and the same. The Trial Court further observed that plaintiff has also conducted cross examination. Considering stage of proceeding, amendment in plaint was not permissible.

3. On careful consideration of factual aspect of matter, pleading of parties and submissions advanced, this Court finds that amendment as claimed was not necessary to determine real question of controversy between parties. The view taken by trial Court is in consonance with factual aspect of matter and settled legal position. Further there is no explanation as to why application for amendment was not moved at earlier stage of proceeding i.e. before commencement of trial.

4. In result, no case is made out to cause interference in impugned order under Article 227 of Constitution of India. Hence, Writ Petition stands dismissed.

(S. G. CHAPALGAONKAR)
JUDGE