



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2498 OF 2026
IN RAST/5927/2026

NANDA RAVINDRA NAIK
VERSUS
SANDEEP SHEKHAR SUHAS RATHOD AND OTHERS

...
Advocate for Applicant : Mr. D. M. Shinde

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CORAM : SIDDHESHWAR S. THOMBRE, J.

Date : 4th March, 2026

PER COURT :-

Civil Application No. 2498 of 2026

1. By this application, applicant seeks condonation of five (5) days delay in filing the Review Application.
2. For the reasons stated in the application, the delay is condoned.

Review Application (St.) No. 5927 of 2026

1. Mr. Shinde, learned counsel for the applicant, invited my attention to Paragraph 6 of the previous order, alongside the copies of the written statement and the proposed amendments. He submitted that the defendant had previously given a clear admission in the original

written statement, that the said property as ancestral. In contrast, the proposed amendment introduces a contradictory theory. The counsel further submits that allowing such an amendment would permit the defendants to withdraw an admission and fundamentally shift their stance, thereby causing significant injustice and prejudice to the petitioner's case.

2. In support of the contentions, the learned counsel for petitioner placed reliance in the case of **Life Insurance Corporation of India Vs. Sanjeev Builders Private Limited and Anr.** [2022 LJSoft (SC) 969].

3. After hearing the learned counsel for the applicant, I find no merit in the present challenge. This Court, while previously allowing the amendment to the written statement, noted that the law is well-settled that a defendant is permitted to take inconsistent pleas in their defence. Consequently, there is no error apparent on the face of the record regarding the order dated 19.06.2026. The review application is, therefore, rejected. No order as to costs.

(SIDDHESHWAR S. THOMBRE, J.)