

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 17638 OF 2025

Manisha Deepak Pansari

.... **PETITIONER**

: VERSUS :

Parbatidevi Rughlal Mundhra & Anr.

.... **RESPONDENTS**

Mr. Anoop Sharma, *for the Petitioner.*

Mr. N.R. Bubna *with Ms. Pooja Malik, for Respondent No.1.*

CORAM : SANDEEP V. MARNE, J.

DATED : 2 APRIL, 2026.

P.C. :

- 1) The petition challenges order dated 19 November 2025 passed by the Court of Small Causes at Mumbai allowing application at Exh.45 and permitting amendment in the plaint as per the Schedule.
- 2) Perusal of the Schedule to the amendment application would indicate that the Original Plaintiff wants herself to be deleted and suit to be prosecuted by her son, Poonamchand R. Mundhra. Now the proposed Plaintiff wants to prosecute the suit for his own bonafide requirement. Earlier, the bonafide requirement was in respect of the whole family.
- 3) The real grouse of the Petitioner-Defendant is about deletion of pleadings in paras-20, 22 and 23. It appears that the Petitioner wants to bring

about inconsistencies in pleadings in paras-20, 22 and 23 of original plaint as compared to the newly incorporated paras by way of amendment.

4) Mr. Bubna, the learned counsel appearing for the Plaintiff/Respondent No.1 submits that there is no objection for retention of paras-20, 22 and 23 in the plaint.

5) Accordingly, the impugned order is modified to the limited extent that paras-20, 22 and 23 shall not be deleted from the plaint and those paras shall continue to form part of the plaint. The new para shall be added as para-23A in the plaint. Except the above modification, the rest of the order shall continue to operate.

6) With the above directions, the petition is partly **allowed and disposed of.**

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[SANDEEP V. MARNE, J.]