

R.C.S. No.205/2007

Shankar Vs. Ram

ORDER PASSED BELOW EXH.174

This is the amendment application filed by plaintiff under order 6 rule 17 of C.P.C.

02. It is contended by the plaintiff that, against order of this Court passed below Exh.159 plaintiff reached before Hon'ble High Court vide Writ Petition No. 3462/2017. As per order of Hon'ble High Court he filed the present application for amendment in pleading.

03. The defendants filed say on this application on overleaf of Exh.176. It is brought to my notice by learned counsel of defendants that, mistakenly he has filed say of this application on overleaf Exh.176.

04. Perused application and say. Perused record of the case. Read order of Hon'ble High Court dated 12.01.2026 in Writ Petition No.3462 of 2017.

05. It appears from record that, on 19.01.2017 the plaintiff has filed amendment application vide Exh.159. That application came to be rejected on 01.02.2017. Against that order plaintiff has reached before Hon'ble Bombay High Court Bench at Aurangabad vide Writ Petition No.3462 of

2017. It appears that, the said Writ Petition came to be allowed by Hon'ble High Court vide its order dated 12.01.2026. The copy of said order has been filed by plaintiff along with list Exh.175. I have also verified said order of Hon'ble High Court from official website of Bombay High Court.

06. On perusal of said order of Hon'ble High Court it appears that, by allowing said Writ Petition, the Hon'ble High Court allowed application Exh.159 filed by plaintiff in this suit by quashing and setting aside order dated 01.02.2017 passed by this Court on Exh.159. It appears that, the Hon'ble High Court also directed the plaintiff to carry out necessary amendment within the period of four weeks from the date of said order. It is to be noted that, the plaintiff has filed this application on 03.02.2026. Hence, in view of order of Hon'ble High Court this application is allowed. Plaintiff to carry out necessary amendment in the plaint as directed by Hon'ble High Court.

Date : 06.02.2026

(D.R.Kulkarni)

Place: Shevgaon

2nd Jt. Civil Judge Juniro Division,
Shevgoan.