



ORDER PASSED BELOW EXH.13 IN R.C.S. NO.82/2023

(CNR No. MHWS02000431-2023)

Hari Dawand Vs. State of Maharashtra Thr. Collector, Washim & Anr.

1] The plaintiff has filed this application, praying that he be permitted to amend the plaint as per an order dated 07/08/2024 passed below an application Exh.12. According to the plaintiff, he could not comply with the said order within stipulated time. With this, the plaintiff has prayed that this application be allowed.

2] Defendants have filed their say on overleaf of this application. They have stated that this application is liable to be rejected.

3] I have heard Ld. Advocate Mr. Jadhav for the plaintiff & Ld. A.G.P. Mr. Kaloo for defendants at considerable length, and have gone through record of the suit.

4] It is matter of the record that vide order dated 07/08/2024 passed below Exh.12, the plaintiff was directed to amend the plaint on or before dated 21/08/2024. But, the plaintiff has not complied with the said order within stipulated time. Be that as it may, it is apposite to note that Section 148 of the Civil Procedure Code, 1908 (for short 'C.P.C.') provides that the Court can enlarge the time fixed for doing of any particular act not exceeding 30 days.

5] Thus, having regard to nature of the suit, arguments put forwarded by Ld. Advocate Mr. Jadhav for the plaintiff & Ld. A.G.P.

Mr. Kaloo for defendants and the provision of Section 148 of the C.P.C., I am of the considered view that this application deserves to be allowed. With this, I proceed to pass following order -

ORDER

- 1] Application Exh.13 is allowed.
- 2] The plaintiff shall carry out the necessary amendment, more particularly described in an application Exh.12 itself, on today itself ; and shall supply copies of amended plaint as early as possible.
- 3] No order as to costs.
- 4] Parties to the suit shall take note of this order.

Washim.

Date - 26/08/2024.

(S. S. Ubale)

Civil Judge, (Sr. Div.), Washim.

CERTIFICATE

I affirm that the contents of this PDF file judgment/order are same word to word, as per original judgment/order.

- 1) Name of Stenographer :- S. P. Kale (Stenographer G-III)
- 2) Name of Court :- Civil Judge (S.D.), Washim.
- 3) Date :- 26/08/2024
- 4) Order signed by the
presiding officer on :- 26/08/2024
- 5) Order uploaded on :- 29/08/2024