



ORDER BELOW EXH.88 IN R.C.S. NO.137/2022

(CNR No. MHWS02000537-2022)

Vijay @ Pandhari Somani & Ors. Vs. Satyanarayan Sharma & Ors.

1] Plaintiffs have filed this application, praying that they be permitted to carry out an amendment in view of an order dated 05/12/2024 passed below an application Exh.65. According to plaintiffs, they have not complied with the said order dated 05/12/2024 within stipulated period. With this, plaintiffs have prayed that this application be allowed.

2] Defendants have filed their say on overleaf of this application. They have stated that the present application has been filed at belated stage. With this, they have prayed for rejection of this application together with costs.

3] I have heard Ld. Advocate Mr. Biyani for plaintiffs & Ld. Advocate Mr. Deshpande for defendants. I have also gone through record of the suit.

4] It is matter of the record that vide order dated 05/12/2024 passed below an application Exh.65, plaintiffs were directed to carry out necessary amendment in an application Exh.5 for temporary injunction on or before dated 16/01/2025. It is pertinent to note that under Section 148 of the Civil Procedure Code, 1908 (for short 'C.P.C. '), the Court has power to extend the time fixed

by it for doing of any particular act, to the extend of 30 days. Needless to mention that under Section 151 of the C.P.C., the Court has ample power to pass any order in order to meet ends of justice.

5] Having regard to contents of this application in the light of nature of the suit & the provision of Section 151 of the C.P.C., I have no hesitation to allow this application. With this, I proceed to pass the following order -

ORDER

- 1] Application Exh.88 is allowed & thereby, plaintiffs are permitted to carry out necessary amendment in an application Exh.5 for temporary injunction in view of an order passed below an application Exh.65, on or before next date ; and shall supply copies of the amended application Exh.5 as early as possible.
- 2] No order as to costs.
- 3] Parties to the suit shall take note of this order.

Washim.
Date:- 24/02/2025.

(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 :- 24/02/2025
- 4) Order signed by the
presiding officer on :- 24/02/2025
- 5) Order uploaded on :- 25/02/2025