

Arun Sankpal

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2531 OF 2025**

Mohan Baban Bhalerao & Ors	..Petitioners
Versus	
Sindhubai Baban Bhalerao (Since Deceased Through Her Legal LRs) & Anr	...Respondents

Mr. Ronak Utagikar, for the Petitioner.

**CORAM: N. J. JAMADAR, J.
DATED : 26th FEBRUARY 2025**

P.C.:

1. Heard learned Counsel for the Petitioners.
2. The challenge in this Petition is to an Order dated 31st August 2024 passed by the learned Civil Judge, Junior Division, Ghodegaon, District Pune, whereby application for amendment in the Plaint came to be rejected.
3. The petitioners have initially instituted a suit for declaration and perpetual injunction. The petitioners preferred an application for amendment on the premise that they have been dispossessed from the suit property, and, thus, sought relief of restoration of possession.

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(Corrected order as per speaking to the minutes of Order dated 4th March 2025)

4. The learned Civil Judge was persuaded to reject the Application opining that the proposed amendment would change the nature and character of the suit.
5. The matter requires consideration.
6. Issue notice to the respondents returnable on 16th April 2025.
7. In addition to notice through Court, the petitioners are at liberty to serve the respondents by private service and file an Affidavit of Service.
8. Stand over to 16th April 2025.
9. In the meanwhile, there shall be an ad-interim relief in terms of prayer clauses (d) ***and (e)***.

[N. J. JAMADAR, J.]