



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

7 WRIT PETITION NO. 9531 OF 2024

Subhash Gangadharprasad Pande Died Thr Lrs Rekha Subhash Pande Died
Thr Lrs And Ors

VERSUS

Gangadharprasad Narsinghprasad Pande Died Thr Lrs Satyawati Avinash
Awasthi Died Through Lrs And Ors

...

Advocate for the Petitioner : Mr. Natu Sharad V.
Advocate for Respondents No. 4A, 4B, 5, 6, 7m 11 and 12 : Senior Counsel
Mr. P. R. Katneshwarkar i/b Mr. R. P. Adgaonkar

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CORAM : ARUN R. PEDNEKER, J.

Dated : October 14, 2024.

PER COURT :-

1. The learned Counsel for the petitioners restricts the amendment application to paragraph 2.2 at pages 91 and 92 of the petition. The learned Counsel submits that the petitioners have raised their pleas in the plaint based on a family arrangement, wherein it is agreed that the total land in question was 12 Acres. The learned Counsel directed attention to page 44 of the writ petition to argue that the case has always been limited to 12 Acres. However, in the prayer clause, the suit land is inadvertently described as 20 Acres. The petitioners now seek a correction to adjust the boundaries to reflect the originally stated 12 Acres, as the case is based on 12 Acres of land, following the family arrangement dated 15/12/1996.

2. Issue notice to the respondents, returnable on 25/11/2024.

3. The learned Counsel appearing for respondents No. 4 to 7, 11, and 12 submits that the plaint has already been amended nearly 11 times. He

also submits that earlier orders passed by this Court have clarified the petitioner's position.

4. The learned Counsel for the petitioners seeks liberty to add M/s Kuber Developer, Latur, as a party respondent.

5. Liberty is granted. Amendment to be carried out forthwith.

6. Till the next date, the evidence in the Regular CIVIL Suit No.67/2012 shall proceed, but the Trial Court shall not pass the final judgment.

(ARUN R. PEDNEKER, J.)

vj gawade/-.