



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2081 OF 2026

Waman S/o. Onkar Bharambe and Others

Vs.

Dinkar Shankar Chopade (Dead) through his LRs

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. N.B. Kalwaghe, Advocate for the Petitioners.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 10th MARCH, 2026

1. Heard learned counsel for the petitioners.
2. Petitioners' challenge is to the Order dated 10.11.2025 passed below Exh.109 by the Trial Court in Regular Civil Suit No.27/2012, by which the application for amendment in written statement was partly allowed. The petitioners' grievance is against the rejection of a part of the proposed amendment.
3. Learned counsel for the petitioners submits that in view of remand of the suit by the Appellate Court with a specific direction to frame an issue about the ownership of the respondent-plaintiff over the suit land, the proposed amendment in the nature of additional defence of the defendants became necessary. He further submits that the trial Court has erroneously considered the amendment application as a consequential amendment and has partly allowed the same.

4. In view of this, issue notice to the respondents, returnable on **27.03.2026**.

5. Petitioners are permitted to serve the respondents by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

(PRAFULLA S. KHUBALKAR, J.)

Privel