



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

Writ Petition No.6278/2025

Smt. Pushpa and others V Krishnarao and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. U.P. Dable, Advocate for petitioners.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 14-10-2025.

Heard Mr. Dable, learned Advocate for the petitioners.

2. Petitioners challenge is to the order passed by the appellate Court, rejecting the application for amendment of plaint during the pendency of the appeal.
3. Learned Counsel for the petitioners submits that in view of the fact that the appellant/plaintiff had already filed an application under Order 41 Rule 27 of the Code of Civil Procedure for permission to lead additional evidence, which is pending before the appellate Court, plaintiff desires to incorporate necessary pleadings by way of amendment to the plaint. It is also submitted that by way of proposed amendment the plaintiff wants to place on record certain factual aspects, which are necessary for complete and effective adjudication of the controversy involved in the suit. He, therefore, submits that the plaintiff is not introducing any new cause of action and the nature of the suit is maintained.
4. Issue notice to the respondents, returnable after four weeks.

(Prafulla S. Khubalkar, J.)