

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

WRIT PETITION NO.6093 OF 2025

TANVEER BANO WD/O. ABDUL MATIN THR. PO.A., KIRAN NAMDEORAO
MAHALE AND OTHERS

VERSUS

GODREJ PROPERTIES LIMITED COMPANY, THR. AUTHORIZED
SIGNATORY, CHIRAG AKRUWALA AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.K. Mishra, Senior Advocate a/b Mr. K.R. Jhamb,
Advocate for Petitioners.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 09th OCTOBER 2025

1. Office has recorded that, in this petition, a caveat application is filed by Advocate Mr. Deoul Pathak and his name is shown as an advocate for caveator/respondent No.1 in the petition. However, Advocate Mr. Deoul Pathak, points out that the said caveat was with respect to an order dated 02nd August 2025, passed in Spl.C.S. No.750 of 2025, which was likely to be challenged. He states that there is no caveat in the instant petition and therefore, he prays his name as caveator in the instant petition be discharged.

2. Accordingly, it is observed that there is no caveat in the instant petition and hence, the appearance of Advocate Mr. Deoul Pathak, as caveator/respondent is discharged.

3. Heard Mr. S.K. Mishra, Learned Senior Advocate for the petitioners.

4. The petitioners' challenge is to the order dated 10.09.2025, passed by the trial court, thereby rejecting the application for amendment to plaint in Spl.C.S. No.750 of 2025, which was filed at a stage before the written statement is filed in the suit.

5. Learned Senior Advocate submits that, by way of the amendment application, the plaintiffs proposed to add certain pleadings with respect to the earlier litigations, which are necessary for complete and effective adjudication of the controversy involved in the suit. He submits that the reasons recorded by the trial court while rejecting the application for amendment cannot be the criteria for deciding amendment application.

6. In view of this, issue notice to the respondents, returnable after four weeks.

7. In the meantime, ad-interim relief in terms of prayer clause 'c', which is reproduced as under, shall operate.

“(c) Pending the hearing and final disposal of this petition, stay further proceedings in Special Civil Suit No.750/2025 before the learned Civil Judge, Senior Division, Nagpur.”

(PRAFULLA S. KHUBALKAR, J.)

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