

26.02.2026

Present : Sh. Atul Sharma, Ld. Counsel for the plaintiff through VC.

Sh. Deepak, Ld. Counsel for the defendant no. 2 to 5.

As per the report of the Ahlmad, defendant no. 1 to 3 and 5 stand served.

A fresh vakalatnama has been filed on behalf of defendant no. 2 to 5.

Learned counsel for defendant no. 2 to 5 submits that he has no objection if the plaintiff's application under Order VI Rule 17 read with Section 151 CPC (IA No. 1/26) is allowed.

Defendant no. 1 has already been proceeded ex parte. Notice of the present application was duly served upon defendant no. 1, however, none has appeared on his behalf. Accordingly, defendant no. 1 is again proceeded ex parte for the purpose of adjudication of the plaintiff's application under Order VI Rule 17 read with Section 151 CPC as well as for further proceedings in the suit.

Learned counsel for the plaintiff submits that the amendment is sought to bring the shares of the parties in conformity with Muslim Law, as the same were earlier calculated under a mistaken application of Hindu Law. The proposed amendment does not alter the nature of the suit.

In the interest of justice, the application under Order VI Rule 17 read with Section 151 CPC (IA No. 1/26) is allowed and the amended plaint is taken on record. **The application (IA No. 1/26) stands disposed of.**

Put up for plaintiff's evidence on **27.03.2026**.

(Vikas Garg)
DJ-05/East/KKD
Delhi/26.02.2026