

CS No. 95/22

SH. NAND KISHORE SAXENA Vs. SMT. MADHU SAXENA @
SUMAN SAXENA & ORS

07.11.2022

Present: Sh. Nipun Kumar, learned counsel for plaintiff.

Matter is fixed for consideration.

Duplicate set of the plaint and documents in compliance of order dated 09.05.2022 already filed on 13.09.2022.

An application under Order VI Rule 17 r/w Sec. 151 CPC filed on behalf of plaintiff is lying on record.

Heard on the application. Record perused.

Perusal of record shows that proposed amendment is formal in nature. The present suit is at initial stage as the defendants are yet to be summoned. No prejudice would be caused to the defendants if the application of the plaintiff is allowed as the proposed amendment shall not change the basic structure of the suit as well as nature of the relief.

In view of the reasons mentioned in the application and in the interest of justice, the application stands allowed. Amended plaint filed alongwith the present application is permitted to be taken on record.

Deficient court fees, if any be filed.

Ahlmad is directed to to arrange the file as per Delhi High Court Rules.

The application is disposed off accordingly.

Issue summons of the suit for settlement of issues and notice of the application under Order XXXIX Rule 1 & 2 r/w Sec. 151 CPC, to the defendants, on filing of PF/RC/speed post/Regd. AD/approved courier, for **20.02.2023**. Tracking report be filed. Steps be taken within four weeks.

MONA TARDI KERKETTA
ADJ01/NE/KKD/DELHI
07.11.2022 pk