

06.05.2026

Present: Sh. K.R. Rana, Ld. counsel for plaintiff with plaintiff.  
Sh. Ashish Kumar Bodadia, Sh. Sachin Dhingra, Sh. Rahul Kumar & Ms. Neelam, Ld. counsels for defendant with defendant.

**IA no. 1/26 (plaintiff's application u/O VI Rule 17 CPC).**

1. In this matter, an LC was appointed vide order dated 09.01.2026 and after the report was filed, plaintiff came up to move present application seeking to amend the paras/prayers of the plaint where the area of the property was shown. Initially, plaintiff has averred that the area of the property is **250 square yards**. But, as per LC report, it is claimed that the area of the suit property was found to be **163.38 square yards**. Thus, plaintiff wants to bring on record the said area as mentioned in the LC report.
2. Reply to the application filed. Copy supplied.
3. After some arguments, counsel for defendant, on instructions, submits that he has no objection in case the said application is allowed. Accordingly, the application is allowed and the amended plaint filed with the application is taken on record.
4. Counsel for defendant submits that he has already filed the amended written statement to the amended plaint and it may be taken on record. Copy supplied.
5. The amended written statement is taken on record.

6. Defendant has moved a separate application seeking waiver of cost imposed vide order dated 16.03.2026. The same is not opposed by counsel for plaintiff. Thus, the said cost is waived. Application is disposed off.
7. Defendant has also filed documents in compliance of order dated 09.02.2026 wherein the address of the defendant, in the said documents, is reflected to be of Delhi. The directions to file documents were given as defendant was claiming that the property in question falls in Ghaziabad, Uttar Pradesh. But, as per the documents filed in court in pursuance to order dated 09.02.2026, the address of the defendant in each of the said documents is of Delhi.
8. Counsel for defendant, on instructions, submits that his client concedes that the property is actually located in Delhi and not in Ghaziabad, Uttar Pradesh. He prays for some time to move an appropriate amendment application so that the objection taken in this aspect in the written statement may be appropriately amended.
9. Renotify on 10.06.2026.

AASHISH GUPTA  
DJ-01/NE/KKD/DELHI  
06.05.2026