

**15 CS DJ 584/21 RAM KUMAR GOEL Vs. JITENDRA THAKUR
AND ORS.
19.01.2026**

Present: Sh. Gautam Anand, Ld. Counsel for Plaintiff.
None for defendants.

Argument on application u/o 6 rule 17 CPC heard on behalf of plaintiff.

It is submitted on behalf of plaintiff that defendants have recently encroached a small portion of the suit land and constructed a hut like structure which has come to the knowledge of plaintiff on the visit to the suit land by the constituted attorney on 16.09.2025 and the constituted attorney on behalf of plaintiff has lodged a complaint in concerned PS on 17.09.2025. It is submitted that above amendment is required as plaintiff has come to knowledge of above factum of encroachment subsequently after evidence of plaintiff has been closed. It is submitted that amended is necessary for just decision of case.

Submission heard.

Application perused. Perusal of file shows that evidence of plaintiff is closed on 07.11.2023 and matter was listed to final arguments and during final argument above amendment application was filed.

Considering the fact that plaintiff has acquired the knowledge of encroachment subsequently as alleged by plaintiff in the application. Therefore, in the view of court proposed amendment is necessary for just decision of case moreover nature of suit will not change after above amendment is allowed. Multiplicity of proceeding will be also avoided if above amendment application is allowed,. Hence in view of above discussion application u/o 6 rule 17 CPC is allowed.

Plaintiff is directed to file amended plaint.

Defendants are at liberty to file amended WS within 30 days of filing of amended plaint.

Matter be listed for further proceedings on **03.08.2026**.

**(RAKESH KUMAR V)
DJ-04/North-West
Rohini Courts/Delhi
19.01.2026**