

7 CS 2560/24
MUKESH Vs. SUBHASH CHAND

06.11.2024

Fresh suit filed. It be checked and registered.

Present: Sh. Jitendra Kumar, Ld. Counsel for the Plaintiff.

This is a suit for partition and permanent injunction filed by plaintiff against the defendants.

I have perused the plaint alongwith documents.

It is submitted by Ld. Counsel for plaintiff that the suit property bearing No.V-1380, out of Khasra No.444/10, situated in Village Maujpur, Delhi - 53 measuring 135 sq. yards belonged to the mother Late Smt. Omvati, who had died intestate on 06.12.2013 leaving behind the parties as the only LRs.

Plaintiff has also filed an application U/o 6 Rule 17 CPC to amend Para 10 of the plaint by stating that the defendant no.2 has never issued any legal notice to the plaintiff and other defendants for seeking partition of the suit property and the same has been inadvertently mentioned in the concerned Para.

Since the notice has yet not been issued and the matter is still at the initial stage, no prejudice would be caused to the defendants if the amendment application is allowed.

In view of the above, the application U/o 6 Rule 17 CPC is allowed. Amended plaint is taken on record.

Issue summons of the amended plaint along with documents upon the defendant(s), through all modes, including speed post/Registered AD, on filing PF/RC. Steps be taken within 07 days.

Put up for service of defendants on **12.03.2025**.

(Ankur Jain-II)
DJ-02, SHD District
KKD/Delhi 06.11.2024