

CS no. 993/18
Mukesh Garg vs. Smt. Sushma Garg & Ors.

12.12.2018

Present : Plaintiff – by Sh. Vivek Bhardwaj, Adv. - files an IA u/o 6 rule 17 of CPC.

Since this is a fresh suit where the summons are not yet ordered, heard on the IA dispensing notice to the defendant.

ORDERS on IA u/o 6 rule 17 of CPC

By the present IA, the Ld. Counsel wants to amend the plaint as under :

- (a) In the cause title the caption of the suit sought to be amended.
- (b) Para 21 and 22 of the plaint is redrafted to incorporate the provisions of the court fee act and the valuation of the suit.
- (c) In the prayer column, Prayer (A) as in the plaint sought to be amended by dropping such relief concerning the property situate beyond the jurisdiction of this court.

Since the territorial jurisdiction of the court is limited to the territory of Shahdara District, it cannot entertain the suit pertaining to the property in Noor Nagar, District Ghaziabad (UP).

The proposed amendment does not alter the colour and nature of the suit. Hence, the IA is allowed. Amended plaint is taken on record. The court fee is also furnished today as per the valuations.

Issue summons to the defendants no. 1 to 4 on the amended plaint if sufficient copies are furnished on record. In the meantime the defendant no.1 is directed to maintain status quo with regard to the suit property till next date. Call on 26.03.2019.

(A.S. Jayachandra)
District & Sessions Judge
Shahdara District, Delhi/12.12.2018