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CS DJ ADJ987/19

AMIT KUMAR Vs. OMBATI

30.04.2024

Present: Sh. R.D. Kaushik, Ld. Counsel for the plaintiff through VC.
Plaintiff in person.

Sh. Vishalji, Ld. Counsel for the defendant no. 1.

None for defendant No. 2.

1. Record reveals that application U/o VI Rule 17 CPC is pending for adjudication.

2. Ld. Counsel for the plaintiff submits that by way of present application, he is seeking a small amendment by way of deletion of word 'owner' from prayer Clause A. He further submits that apart from this mistake, there is no amendment in the plaint.

3. Submissions heard.

4. Since, the matter is at the preliminary state and issues are yet to be framed. The application U/o VI Rule 17 CPC stands allowed. For the purpose of clarification, prayer Clause A for pre amendment and post amendment is reproduced herein below :

Prayer Clause A : Pre-amended	Prayer Clause A : Post-amended
Pass a decree of declaration declaring the plaintiff as the owner of the half share in the suit property.	Pass a decree of declaration declaring the half (1/2) share of the plaintiff in the suit property.

5. Amended memo of parties along with affidavit thereby furnishing fresh address for defendant no. 2 filed on behalf of the plaintiff on 24.02.2024. Same is taken on record.

6. Let, fresh summons of the suit be issued to the defendant No. 2 through all authorized modes, on filing of PF/RC, speed post etc. Since fresh address of defendant no. 2 lies at Etah, UP, fresh summons be issued through concerned Ld. Principal District and Sessions Judge, Etah, UP.

7. Put up for further proceedings on **21.08.2024**.

(SHILPI M JAIN)
DJ-05 (SW)/Dwarka Courts
New Delhi: 30.04.2024 (AR)