

**Through Cisco Webex Video Conferencing**

**23-01-2021**

Present : Sh Manish Kumar, Ld Counsel for the plaintiff.

Sh Astandar Kumar, Ld Counsel for the defendant.

Arguments heard on the application filed by the plaintiff under order 6 rule 17 CPC.

Ld. counsel for the plaintiff submits that he wants to amend the title and para 14 of the plaint in the present suit. He further submits that earlier, the suit was filed for possession, permanent injunction and mandatory injunction and now, by filing this application, he wants to substitute the same with suit for mandatory injunction and permanent injunction.

Ld. counsel for the defendant in his reply to the application averred that the plaintiff has made the amendment only when this court pointed out the infirmity of jurisdiction of this court.

In my opinion the amendment sought by the Plaintiff is merely formal in nature and it does not change the nature of the suit and no prejudice, as such, will be caused to the Defendant.

In view of the arguments and the reasons stated in the application moved by the plaintiff, application under order 6 rule 17 CPC is hereby allowed subject to cost of Rs. 1000/- to be deposited with DLSA, West, Delhi. Ld Counsel for the plaintiff submits that the amended plaint is already filed. The same is taken on record.

Put up for filing written statement to the amended plaint and replication thereafter and also on arguments on application under order 12 rule 6 CPC on **01-04-2021**.

**(Manish Sharma)**  
**ADJ-01/West**  
**THC/23-01-2021**