

08-09-2025:

ORDER ON IA No.V

The plaintiff has filed IA No.V Under Order 6 Rule 18 R/w Sec.151 of CPC seeking permission to carry out the amendment of the plaint and to accept the amended plaint on record.

It is stated in the supporting of affidavit that though amendment of plaint was permitted earlier, on 26-06-2025 the plaintiff and his counsel could not remain present due to heavy rain fall, and the order came to be passed that the amendment was not carried out and the matter was posted for arguments. The plaintiff submits that the non-compliance was neither intentional nor deliberate, but due to unavoidable circumstance, now she has carried out amendment and submit the amended plaint. It is further urged that if the application is not allowed, plaintiff will

suffer hardship and irreparable loss, where as no prejudice will be caused to the defendants. Hence, prays for allowing the application.

The defendants have remained absent and have been placed ex-parte.

I have perused the application, affidavit and material on record. The reasons assigned by the plaintiff appear to be bona-fide. The object of Order 6 Rule 18 of CPC is ensure timely compliance, but in appropriate cases the court can permit the party to carry out the amendment when sufficient cause is shown. Since the defendants are already placed ex-parte, no prejudice is likely to be caused to them. On the other hand, refusal to permit amendment would cause hardship to the plaintiff. Hence, the application deserves to be allowed in the interest of justice. Hence, this court deems it fit to pass the following:

ORDER

IA No.V filed by the plaintiff
Under Order VI Rule 18 R/w Sec.
151 of CPC is hereby allowed.

The plaintiff is permitted to
amend the plaint as per previous
order dated 12-06-2025, and
submit amended plaint.

Call on for amendment and
amended plaint by 24-09-2025.

Senior Civil Judge, Bailhongal