

ORDER ON IA No.3

The plaintiff has filed the present application under Order VI Rule 17 R/w.sec. 151 of CPC seeking permission to amend in the cause title of the plaint by inserting the correct name of defendant No.15 as *"Smt.Ratnavva W/o Mahantesh Mulimani"* instead of Smt. Iravva W/o Mahantesh Mulimani, as per schedule of amendment.

In the affidavit filed in support of the application, the plaintiff has stated that, she has filed the present suit for partition and separate possession against the defendants. She further stated that at the time of filing of the suit through oversight the name of defendant No.15 is wrongly mentioned as "Smt. Iravva W/o Mahantesh Mulimani" instead of Smt. Ratnavva W/o Mahantesh Mulimani. The said mistake is not intentional one. If the application is allowed, no prejudice will be caused to the other side, otherwise she will be put to untold loss and

hardship. Hence she prayed for amending the plaint.

On the other hand, the learned counsel for defendant Nos.1, 2 and 4 submitted that he has no objection to allow IA No.3. The counsel for remaining defendants also submitted that they have no objection to allow IA No.3.

I have perused the application, affidavit and records.

The amendment sought is formal in nature and is intended to bring the correct of the party. Hence no prejudice will be caused to the defendants. The defendants themselves have expressed no objection to the proposed amendment. The proposed amendment is necessary for the proper adjudication of the matter. Accordingly, the application deserves to be allowed. So, this court deems it fit to pass the following;

ORDER

IA No.3 filed by the plaintiff U/o.VI

Rule 17 R/w.sec. 151 of C.P.C., is hereby allowed.

The plaintiff is permitted to carry out the amendment in the cause of the plaint, as prayed for.

Call on for amendment and amended plaint by 23-06-2026.

Senior Civil Judge,
Bailhongal