

O.S. No.61/2021

Date: 27/11/2023

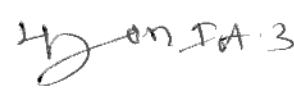
P- by - I.D.N

D -1,6,7 -by- Expt

D.2-S.R.Wali.

D-3 to 5,8,9 by- J.S.Kadahatti

ORDERS ON I.A.NO.3 FILED BY
PLAINTIFF UNDER ORDER VI
RULE XVII OF CPC.,

For -  on IA 3

Plaintiff filed this application under Order 6 Rule 17 CPC., praying permission to amend the plaint to add 4 properties to schedule 'A' & 1 property to schedule 'B' properties.

This is a suit for partition, separate possession and other allied reliefs. Without changing any of his earlier contentions, the plaintiff is seeking the proposed amendment and in support of the same has produced documents. The proposed amendment does not change the nature of suit or cause of action. Now the matter stood posted for hearing under Section 89 CPC. Issus in this case is not yet framed. Hence, no prejudice will be caused to the defendants if the amendment is permitted. Keeping in view the rival contentions of the parties, the proposed amendment is necessary to decide all the controversies involved in the suit completely and effectually. There is delay in filing this application. The inconvenience that may be caused to the defendants may be compensated by imposing costs. For all these reasons, it is a fit case to exercise discretion to permit the plaintiff to amend the plaint as prayed. In the result, the following order is passed:



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ORDER

I.A.3 filed by plaintiff is allowed as prayed for. But, the plaintiff shall pay costs of Rs.100=00 to the defendants.

For payment of costs. Amendment, A/P and addl. Written Statement, if any, call on 15/02/2023.

(Computerized, corrected, revised and then signed by me in open court on this the 27th day of January 2023.)



(T.SRIKANTH)

Prl. Senior Civil Judge.
Chikodi.

Date : 15/02/2023.

P- by – I.D.N

D -1,6,7 -by- Expt

D.2-S.R.Wali.

D-3 to 5,8,9 by- J.S.Kadahatti

For - Payment of costs Rs. 100/-

A,A/P. and

Addl WS