

The provision under which application is filed	:	IA No.VIII– U/Sec.VI Rule 17 C.P.C.
Relief Sought for	:	For Amendment
The date on which application is filed	:	21.11.2025
Number of application	:	IA No. VIII
The date on which objections are filed by opponents	:	--
The date on which Order is passed on the application	:	01.12.2025

ORDERS ON IA NO. VIII FILED UNDER ORDER VI RULE 17 R/w Sec.151 OF CPC.

1. The Advocate for the plaintiff has filed this application under Order 6 Rule 17 of CPC to amend the prayer portion of the main suit, at line No.4 in column No.1 as per the schedule mentioned in the IA.
2. In the affidavit annexed to the application , the plaintiff No.3 Shivanand Mahalingappa Devaramani has stated that, the plaintiffs have filed this suit seeking the relief of partition and separate possession. And the said two properties which has to be inserted by way of amendment is Sy No. 120/6 and 120/7 and that they are the ancestral properties. It is stated that they have been left out inadvertently at the time of filing

of the suit. Hence he states that the said properties have to be impleaded in the present suit.

3. The other side has not filed the objection inspite of giving them sufficient opportunity.

4. Heard the learned advocate appearing for the plaintiff as well as the defendants and perused the IA No.VIII and others materials which have been produced before the court.

5. The point that arises for the consideration of this court is as under:

Whether the plaintiff has made out grounds for allowing the IA No.VIII and whether the proposed amendment is necessary for the complete adjudication of the case ?

6. This court answers the above point in the **Affirmative** for the following :

REASONS

7. It is the case of the plaintiff that the suit properties which are to be impleaded are Sy.No. 120/6 and 120/7. It is their case that they have not been inserted at the time of the institution of the suit. The plaintiff states that the said suit

properties are also the ancestral joint family properties which have been inherited by them from their ancestors . He wants to insert the said two properties in this case.

8. The Other side has not objected to the same.

9. In view of the absence of the objections, it is deemed that there is no objection to the said application. By way of amendment, there would be no change in the nature of the case and no new case is made out. Hence at this stage, without going to the merits of the case, IA No.VIII which is filed to insert/ amend the plaint with respect to the said two properties are allowed. Hence for these reasons, I answer the above Point No. 1 in the Affirmative. Accordingly, I proceed to pass the following :

ORDER

The IA No. VIII filed by the plaintiffs under Order VI Rule 17 R/w Sec.151 of CPC for amendment of the plaint is hereby allowed.

To carryout amendment and to file amended plaint by 15-12-2025.

**(ADITYA R. KALAL)
CIVIL JUDGE & JMFC,
HUKKERI.**

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