

**ORDERS ON I.A.No.8 FILED BY THE PLAINTIFF UNDER
ORDER 6 RULE 17 R/W. SECTION 151 OF C.P.C.**

Plaintiff filed this application and prays for permission to amend the plaint by adding additional pleadings and also additional suit properties.

On the other hand, 3rd defendant filed objection to the above application and prays to reject the application.

Heard the argument and perused the case papers.

As per the provision, no amendment is permissible after commencement of evidence unless due diligence is shown. In the case on hand, already trial was commenced and case is at the stage of cross-examination of DW.1.

This court gone through the contents of affidavit filed by the plaintiff in support of the above application. This court has not found any suit of the material with respect of due diligence. The plaintiff produced Exs.P1 to P7. This court perused the document. It shows

that, the additional pleadings sought in the present application is within the knowledge of plaintiff in the year 2007 itself. When such being the case, it is not proper on the part of plaintiff to plead the same when they filed this suit. Wherefore, this court has not found any sufficient grounds to allow the application. Hence, I proceed to pass the following:

ORDER

I.A.No.8 filed by the plaintiff under Order
6 Rule 17 r/w. Section 151 of C.P.C. is hereby
rejected.

(B. DILEEP KUMAR)
Senior Civil Judge & JMFC.,
Devanahalli.

For Cross of DW.1.