

KABR310005572021



**IN THE COURT OF THE PRINCIPAL SENIOR CIVIL
JUDGE & J.M.F.C., AT DEVANAHALLI**

PRESENT

SRI. NATARAJ YADAV .S, M.B.A., LL.B.,

*Prl. Senior Civil Judge & J.M.F.C.,
Devanahalli.*

Dated this day of 03rd July, 2026

O.S.No.436/2021

BETWEEN:

Smt. Mamatha D.N : **Plaintiff**

(Plt. - By Sri.H.,Advocate)

AND:

Sri. Jothoji Rao : **Defendants**
and others

(Deft.1 to 5 - By Sri.R.S.K., Advocate)

**_*_

i	Provision under which the application is filed	Under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure
ii	Relief sought for	Amendment of the



		plaint
iii	The date on which the application is filed	26-02-2026
iv	Number of the application	I.A.No. 8
v	Date of filing objection	Orally objected on 03-07-2026
vi	Date of Pronouncement of Order	03-07-2026

Sd/-
(NATARAJ YADAV .S)
Prl. Senior Civil Judge & JMFC.,
Devanahalli.

ORDER

1. The present application is filed by the plaintiff under **Order VI Rule 17 read with Section 151 of the Code of Civil Procedure** seeking amendment of the plaint.

Averments in the Application:

2. It is averred that the plaintiff does not intend to prosecute the suit in respect of the '**B' Schedule Property** and, therefore, seeks permission to amend the plaint by deleting the '**B' Schedule Property** from the suit schedule and by making consequential amendments in the pleadings and prayer. It is



further averred that the proposed amendment is necessary for the proper adjudication of the dispute and that no prejudice or hardship would be caused to the defendants if the application is allowed.

Objections:

3. *The defendants have filed objections contending that the application is not maintainable either in law or on facts. It is contended that the application is devoid of merits and has been filed only to delay the proceedings. Hence, they seek dismissal of the application.*

Point for Consideration:

4. *Whether the plaintiff has made out sufficient grounds to permit amendment of the plaint by deleting the '**B**' **Schedule Property**?*

Finding:

5. *The above point is answered in the **Affirmative** for the following:*

Reasons:

6. *Perused the application, objections and the records.*



7. The plaintiff seeks only to delete the '**B' Schedule Property** from the suit schedule along with the consequential pleadings. The proposed amendment neither introduces a new cause of action nor changes the nature or character of the suit. On the contrary, it narrows down the scope of the dispute.

8. The defendants have not shown that any irreparable prejudice or injustice would be caused if the amendment is allowed. If necessary, they can be granted liberty to file an additional written statement to meet the amended pleadings.

9. Since the amendment is necessary for determining the real controversy between the parties and would facilitate effective adjudication of the suit, this Court finds sufficient grounds to allow the application. Consequently, I proceed to pass the following;

ORDER

The application filed by the plaintiff under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure is allowed.



***The plaintiff is permitted to amend the
plaint by deleting the 'B' Schedule Property
from the suit schedule and by carrying out
all consequential amendments in the
pleadings and prayer.***

For A/plaint by 25.7.2026

*(Dictated to the Stenographer on computer, typed by her, revised, corrected
and then pronounced by me in the open Court on this the 03rd day of July,
2026.)*

**Sd/-
(NATARAJ YADAV .S)
Prl. Senior Civil Judge & JMFC.,
Devanahalli.**