

KABR610004262006



IN THE COURT OF I ADDL. CIVIL JUDGE & JMFC.,  
NELAMANGALA.

Dated this 9<sup>th</sup> day of December, 2025

**PRESENT:** Sri. Manju.M, B.Sc., L.L.B.,  
I Addl. Civil Judge & JMFC.,  
Nelamangala.

**ORIGINAL SUIT NO.264/2006**

**Plaintiff:** Siddagangamma W/o late Bylappa,  
Aged about 50 years,  
R/at Thippagondanahalli village,  
Thyamagondlu Hobli,  
Nelamangala Taluk,  
Bengaluru Rural District.

(By Sri R.D.S., Advocate)

V/s

**Defendants:**1. Gangaraju S/o late Siddagangaiah.  
Aged about 35 years,  
2. Marappa S/o late Gangaiah,  
Aged about 60 years,

Both are R/at Thippagondanahalli  
village, Thyamagondlu Hobli,  
Nelamangala Taluk,  
Bengaluru Rural District.

[By Sri. A.S., Advocate]

**PARTIES IN IA NO.4**

**Applicant/Plaintiff:** Siddagangamma.

V/s

**Opponent/Defendants:** Gangaraju and another.

**ORDER ON IA.NO.4**

This is an application filed by the plaintiff under Order 6 Rule 17 read with Section 151 of CPC prays to permit her to amend the plaint as sought for.

2. This application is supported by an affidavit of the GPA holder of the plaintiff. In the said affidavit the Applicant has submitted that the proposed amendment is very much necessary in order to adjudicate the dispute completely and effectively and if the application is not allowed, the plaintiff will be put to irreparable loss and injury. Hence, prays to allow the application.

3. The defendant No.1 has opposed this application by filing objection. In the objection, the defendant No.1 has denied the allegation of fact

made by the plaintiff and contended that the property sought for amendment is not belongs to plaintiff and the application filed by the plaintiff is not maintainable. Further, it is contended that the plaintiff is not in possession of site No.34 and site No.34 is owned by defendant No.1. Further, it is contended that the plaintiff has not made out a proper grounds for allowing the application. Hence, prays to dismiss the application.

4. Heard arguments of counsel for plaintiff and defendants.

5. In view of the rival contentions raised by the parties, the points that arise for my consideration are as follows:

1) Whether this application deserves to be allowed or not?

2) What Order?

6. Now, my answers to the above points are as follows:

Point No:1:- **In the Affirmative**

Point No:2:- As per final order for the following;

**REASONS**

7. **Point No:1:** It must be noted that, I need not repeat the entire contention of the parties herealso, since, I have already narrated the same at the inception of this order.

8. Keeping in view, the rival contentions raised by the parties again I have perused the present application under Order 6 Rule 17 of CPC filed by the Plaintiff. It is relevant to note that through this I.A, the plaintiff is seeking permission to amend the plaint.

9. On the other hand, the defendant No.1 dispute this application on the ground that the amendment application does not make out proper grounds for allowing the application.

10. It is to be noted that in the case on hand, the plaintiff seeking amendment of plaint to insert the E-

katha number and also site number. In my humble opinion, at this point of time, that too, while deciding the maintainable or otherwise of the application under Order 6 Rule 17 of CPC, this Court cannot express any opinion about the correctness or otherwise of the rival contentions raised by the parties in this regard. Thus, I make it clear that, the parties are at liberty to prove their respective contentions by cogent and relevant evidence. Thus, in my humble opinion, fact and circumstances of this case are such that, the proviso appended to Order 6 Rule 17 of CPC not trouble the plaintiff herein. Further, in order to avoid the multiplicity of proceeding, and also in order to adjudicate the dispute completely and effectively, it is proper to allow the application. Hence, I answer **Point No.1 in the Affirmative.**

**11. Point No:2:**In view of my findings to point No.1, I proceed to pass the following:

**ORDER**

I.A.No.4 filed by the applicant/GPA holder of plaintiff under Order 6 Rule 17 of CPC is allowed on cost of Rs.500/-.

Plaintiff is permitted to amend the plaint as sought for.

(Dictated to the Stenographer directly on computer, typed by him, corrected and signed by me and then pronounced in the open Court, on this 9<sup>th</sup> day of December, 2025)

Sd/-  
I Addl. Civil Judge and JMFC.,  
Nelamangala.