

The plaintiff has filed IA No.4 under order 6 Rule 17 of CPC and prays to permit him to amend the plaint as stated in the application.

In support of the application the 1st plaintiff has filed affidavit and stated that at the time of preparing the plaint he was unable to instruct the some of the survey number have been wrongly typed and recently he came to know the said mistake and some properties are belongs to his ancestral property .

Per contra defendants have not filed any objection.

Perused the entire record the plaintiff filed suit against the defendants for partition and possession. Under order 6 Rule 17 of CPC, reads as :

“As per order VI Rule 17 the court may at any stage of proceeding allow, either party to alter or amend his pleading in such term as may be just and all such amendments shall be made as may be necessary for determining the real questions in controversy between the parties”.

Order 6 Rule 17 of CPC empowered the court to permit the parties to amend their pleading. It is established principle that the amendment application has to be liberally dealt with and whenever it is made out that amendment is necessary to elucidate the matter in dispute and to avoid the multiplicity of the proceedings then such application has to be allowed.

The proposed amendment is just and necessary to decide the controversy between the parties. Hence, considering the fact and circumstances it is fit case to allow the application.

Accordingly I.A No.4 filed by the plaintiff under Order VI Rule 17 R/w Sec.151 of CPC is hereby allowed.

For amendment and amended
plaint. Call on 11.07.2025.

Sr. Civil Judge & JMFC.,
Hiriyur.