

O.S. 15/2021

D-7 is present, plaintiff and rest of the parties absent, learned counsel appearing for D-7 has filed IA no.3 U/O.06 rule 17 of CPC copies served on other side, learned counsel appearing for the plaintiff, submits it may be allowed on cost.

This IA No.3 is filed by the D-7, praying to permit him to amend the pleadings for the reasons stated in the affidavit sworn by the plaintiff.

The IA remained unopposed.

The plaintiff's counsel submits no objection.

Heard, perused, since, the proposed amendment appears to be necessary for the determination of the matter in controversy between the parties effectively and completely and the subsequent amendment sought to be made since the for adding pleadings as shown in the petition schedule which is required for the adjudication of case effectively and conclusively and a property item shown in the W/st schedule sought to be inserted and also adding the pleadings, Therefore, at this stage even though the trial has begun, and the D-7 has made over that in spite of due diligence he could not raise the matter before commencement of trial, therefore, there is not impediment to permit the plaintiff to amend the pleadings. Hence, I proceed to pass the following:-

ORDER

The IA No.3 filed by the plaintiff U/o 6 R 17 CPC is allowed. Permitted to amend the pleadings today and also to furnish amended W/st by D-7 on cost of Rs.200/-.

For amendment and for amended W/st,
Call again

Senior Civil Judge & JMFC,
Holalkere.