



**IN THE COURT OF PRL. SENIOR CIVIL JUDGE, &
C.J.M., CHIKKAMAGALURU**

**Present : Smt. Kumari Sujatha.
B.com.L.L.B.,
Prl. Senior Civil Judge & CJM.,
Chikkamagaluru.**

OS. No. 143/2021

Dated this the 15th day of December, 2025.

Plaintiffs : Smt. Chandramma & Others

(By Sri SHMK., Advocate)

V/s

**Defendants : C.P.Shekarappa
Since dead by his LR's
Sri. Suresh & Others.**

**(D-1 Dead) (D.2, 6, 8 to 11 & D.1(a)
to 1(e) by Sri. S.P. Advocate)
(D.12 by Sri.T.M.K., Advocate)
(D.3 Dead) (D.4, 5, 7 Ex-parte)**

PARTIES TO I.A. No. X

Defendant : Vijay Kumar

V/s

Plaintiffs : Chandramma & Others



ORDER ON I.A. NO.X

The instant Application is filed by the Learned Counsel for the Defendant No.8 under Order VI Rule 17 R/w Sec.151 of CPC with prayer to permit him to amend the Written statement as stated in the application.

2. This Application is resisted by the Learned Counsel for the Plaintiff by filing his detailed Objections with a prayer to dismiss the Application.

3. Heard both sides.

4. Perused I.A., Affidavit, Objection and the materials available on record.

5. Now the Point arises for the determination of this court are as under :

POINTS

- 1) **Whether the Learned Counsel for the Defendant No.8 has made out sufficient grounds to allow IA. No. X filed under Order VI Rule 17 R/w Sec.151 of CPC?**
- 2) **What Order ?**



6. My findings on the above Points are as under :

Point No. 1 : In the Affirmative

**Point No. 2 : As per the final Order,
for the following**

REASONS

Point No. 1 :-

7. The instant Application is filed by the Learned Counsel for the Defendant No.8 with a prayer to permit him to amend the Written statement as shown in the application. This application is supported by an affidavit of the Defendant No.8 stating that due to over sight and typographical error, at the time of filing the Written statement, in the Written statement page No.4, Para No.8 in 11th line after the word the Defendant No.3 and also in the same para No.8, 19th line after the word Defendant No.2, it was wrongly typed instead of No.12. The said mistake was not intentional, but due to bonafide mistake. Further he stated that the said proposed amendment does not change the nature of the Written statement. Hence, they have prayed to allow the application.



8. On the other hand, the Learned Counsel for Plaintiff has filed his detailed objections inter-alia contended that the Defendant No.8 by filing the Written statement had taken the contentions which are available to him and after cross-examination of PW.1, the present application is filed seeking amendment to the Written statement without assigning the substantial and cogent reasons. Hence, he has prayed to dismiss the application.

9. I have gone through the materials available on record. The proposed amendment which the Defendant No.8 sought to make corrections in his Written statement to mention the Defendant No.12 in the place of Defendant No.2 and 3. Hence, I have satisfied with the reasons assigned in the application. Accordingly, I answer point No.1 is in the **'Affirmative'**.

10. **Point No.2** : As per my detailed discussion to Point No.1 as stated supra, and my answer to the above Point No.1 is **'in the Affirmative'**, I proceed to pass the following:

**ORDER**

I.A. No. X filed by the Learned Counsel for the Defendant No.8 under Order VI Rule 17 r/w section 151 of CPC, is hereby allowed on payment of cost of Rs.250/-.

The Learned Counsel for Defendant No.8 is permitted to amend his Written statement as stated in the application.

To carryout amendment and to file amended Written statement.

(Dictated to the stenographer, computerized and Print-out taken by her, Script corrected, signed and then pronounced by me in the open Court on this day **15th day of December 2025**)

Sd/-

**(Smt. Kumari Sujatha)
Prl. Senior Civil Judge & CJM
Chikkamagaluru**