

ORDER ON IA.No. III

As per Circular No.RJ No.163/2023 of The Hon'ble High Court of Karnataka dated 24.08.2023, the following details have been mentioned:-

i	Provision under which the application is filed	U/O VI Rule 17 of CPC
ii	Reliefs sought for	Amendment of plaint
iii	The date on which the application is filed	27.07.2022
iv	Number of the application	IA.No.III
v	The date on which the objection are filed by opponent	Objection is not filed
vi	The date on which the order was passed on the said application	15.04.2024

This application has been filed by the plaintiff U/O VI Rule 17 of CPC praying to amend the plaint.

Despite of granting more than sufficient opportunities the defendants have not filed their objection.

Heard the Id. Counsel for the plaintiff.

It is the case of the plaintiff that in paragraph no.8 of the plaint he has pleaded about the facts of the lands belonging to his brother by name Somanna, at paragraph no.9 at the time of pleading the facts with regard to his lands he has pleaded the name of his brother by oversight. This application has not been opposed at all. It appears that this error has been occurred by oversight, more than anything though the matter has been posted for plaintiff evidence, still it is yet to begin. The proposed amendment is very much required for determining the real question in controversy. Hence, absolutely there is no impediment for this Court to allow this application, however reasonable cost has to be imposed on the plaintiff for unnecessarily wasting the precious time of this Court because of his fault, as a result I proceed to pass the following:-

ORDER

The IA.No.III filed by the plaintiff U/O VI Rule 17 of CPC is hereby allowed on cost of Rs.200/- payable to State.

For payment of cost, carrying out of amendment and for furnishing of amended plaint by 12.06.2024.

15.04.2024
**The Civil Judge & JMFC.,
Yelandur.**