

ORDER ON I.A.NO.IV

This plaintiff filed this application under Order 6 Rule 17 R/w Sec.151 of CPC, at the stage of plaintiff is evidence seeking for permission to amend the plaint.

2. Plaintiff has stated in the affidavit that, inspite of passing of all necessary informations the counsel who was appearing earlier on his behalf had not incorporated all the necessary facts in the plaint. Recently, he came to know and as such filed this application. He also stated that, the defendants appeared and filed written statement denying the title of plaintiff and therefore the necessity arise for including the relief of declaration, which is coherent with the permanent injunction.

3. The defendants have not filed the objection, inspite of taking sufficient time. Heard the learned counsel for plaintiff and defendants.

4. The proposed amendment is with reference to title of plaintiff is concerned in the suit schedule property. Admittedly, the plaintiff has pleaded in the plaint that, the suit schedule properties are his self acquired properties and in which the defendants are no right or interest. The defendants have appeared and contested the suit by stating that all the properties acquired out of the joint family funds consisting of plaintiff, defendants and others. The defendants filed the written statement on 09.01.2024 and disputed the title of plaintiff to the suit schedule property. In view of the same, the relief, so sought by the plaintiff is absolutely warranted. If the plaintiff is allowed to do amendment, it would meet the ends of justice and which would equity and avoid the future litigations between the parties. Hence, the following order:

ORDER

**I.A.No.IV filed U/O 6 Rule 17 R/w Sec.151 of CPC
is hereby allowed, subject to limitation and payment of
court fee for the relief.**

Consequently, the plaintiff is permitted to carry out necessary amendment in the plaint.

For amendment, amended plaint, payment of court fee.

Call on 11.09.2024.

Sd/-

**Prl. Civil Judge & J.M.F.C.,
Channagiri.**