

ORDERS ON I.A.NO.IV

The petitioner has filed the application U/o VI R.17 R/w Sec.151 CPC for amendment of petition as morefully stated in the I.A.

2. On the other hand the respondents have not filed objection to I.A.

3. Heard. Perused the materials placed on record.

4. This petition is filed to draw final decree as per the Judgment and Decree passed in OS.No.7/2008. Against the Judgment and Decree the defendants have challenged the same in the appeal RA.No.78/2011. The Hon'ble I Addl. District & Sessions Judge, Davanagere has allowed the appeal by modifying the decree passed by this Court. As per the Judgment passed in the appeal, the shares of the parties are varied. Hence, the petitioner intends to amend the petition with regard to the Judgment passed in RA.No.78/2011. The proposed amendment is necessary to draw final decree in the petition. The Appellate Court has modified the decree by declaring the share of parties. Hence, in my considered opinion it is just and correct to allow the petition to amend the petition as sought for. Hence, I proceed to pass the following;

ORDER

The I.A filed by the petitioner U/o VI R.17
r/w Sec.151 of CPC is allowed.

For Amendment of petition.

(E. Chandrakala)
Senior Civil Judge,
Harihar.