

ORDERS ON I.A.NOS.IV & V

The plaintiff has filed the I.A.No.IV U/o VI R.17 of CPC praying this Court to amend the plaint with regard to age, name and relationship between parties. To this I.A the other side have not filed objection. The amendment sought for by the plaintiff will not take away the defence of the defendants. Hence, it is just and correct to permit the plaintiff to insert the proposed amendment in the plaint.

2. The plaintiff filed I.A.No.V U/o VIII R.9 of CPC seeking permission of this Court to file rejoinder to the written statement filed by the defendant. On the other hand the defendant has resisted the application by filing objection. It is contended that the application is not maintainable either in law or on facts. It is very important to state that the plaintiff has not filed rejoinder along with I.A. Hence the question of permitting to file the rejoinder does not arise at all. Thus I proceed to pass the following;

:O R D E R:

The I.A No.4 filed by the plaintiff U/o VI R.17 of CPC is allowed.

The plaintiff is permitted to carry out amendment.

The I.A No.5 filed by the plaintiff U/o VIII R.9 of CPC is dismissed.

(E. Chandrakala)
Senior Civil Judge,
Harihar.