

**IN THE COURT OF THE PRINCIPAL SENIOR CIVIL
JUDGE, HUBBALLI**

Present:

Sri. Yamanappa Karehanumanthappa,

Prl. Senior Civil Judge, Hubballi.

OS No. 513/2024

Dated this the 18th day of February - 2026

Plaintiffs : Smt. Rekha Bellad and others

.Vs.

Defendants : A.P.M.C Main market A.P.M.C Yard and
others.

PARTIES TO IA

**Applicant
(plaintiffs)** : Smt. Rekha Bellad and others

.Vs.

**Opponents
(defendants)** : A.P.M.C Main market A.P.M.C Yard and
others.

ORDER ON IA

The Advocate for plaintiffs has filed I.A. U/O. 6 Rule 17 R/w. Section 151 of C.P.C. seeking amendment of the plaint as prayed in the application.

2. The plaintiff No. 1 has sworn affidavit stating that, the case is fixed for plaintiffs evidence. After going through the pleadings, she came to know that in plaint para No. 10,

line No.1 due to oversight and inadvertence and also typing error the date of death of her husband mentioned as 07.02.2022 instead of 27.05.2022. Therefore, it is necessary to amend the plaint. The proposed amendment will not change the nature of the suit or cause of action. Hence, prays to allow the application.

3. The counsel for defendant No. 2 has filed objection to this I.A. contending that, the application filed by plaintiffs is false, frivolous and vexatious. The application is filed for amendment to the effect that the date of birth is to be amended. This is only to drag the proceedings and to harass the defendants. The application is filed at the stage of evidence of PW.1 the same is after thought. Hence, prays to dismiss the application.

4. Heard and perused the records. The following points arise for my consideration:

1. Whether the plaintiffs have made out grounds to allow the application?

2. What order?

5. My findings to the above points are as under:

Point No. 1: In the Affirmative.

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

REASONS

6. **Point No.1:** The plaintiffs have filed the suit against the defendants for the relief of declaration and partition in respect of suit properties. The defendants appeared before the Court and filed written statement. Issues have been framed. The case is posted for plaintiff side evidence. At this stage, the Advocate for plaintiffs has filed this application seeking permission of this Court to correct the date of death of husband of plaintiff No.1. The Advocate for defendant No.2 filed objection. At the time of hearing, both side counsel submitted before this Court that, the date of death of husband of plaintiff No.1 is not disputed fact and that can be corrected.

7. The proposed amendment will not change the nature of the suit or cause of action. To avoid multiplicity of proceedings, the proposed amendment is necessary to decide the rights of the parties involved in this case. Therefore, the plaintiffs have made out grounds to allow the application. Hence, I answer point No.1 in **Affirmative**.

8. **Point No.2:** In view of my answer to point No.1 as stated above, I proceed to pass the following;

ORDER

The I.A. filed by the plaintiffs U/O. 6 Rule 17 R/w. Section 151 of C.P.C is hereby allowed.

The plaintiffs are permitted to carry out amendment and furnish amended plaint.

(Dictated to the Stenographer directly on computer, computerized by her, script corrected directly on computer and then pronounced by me in the Open Court on this the **18th day of February – 2026**)

Sd/-
(Yamanappa Karehanumanthappa)
Prl. Senior Civil Judge, Hubballi.