

## ORDER ON I.A. NO. 2

This application filed by plaintiff under order 6 rule 17 R/w 151 and 152 of C.P.C seeking prayer to amend the plaint as prayed in application schedule. The application is supported by an affidavit sworn by plaintiff. On the other hand, objection not filed by the other side.

2. Heard. Perused materials on record.

3. It is submitted by plaintiff that when suit is filed their is mother uneducated and since they could not collect the details of the ancestral properties at the time of filing suit, hence they could not furnish the details of the properties. Further it is submitted that even the defendants they have not stated in the written statement about the ancestral properties. Further it is stated that, when the Court Commissioner had gone to execute the Commissioner warrant they came to known there is mistakes and some properties where not included which are ancestral properties. Hence, prays to allow the application.

4. On perusal of the amendment sought by the plaintiff it is to be noted that, in the application schedule they are seeking to include boundaries of item No.1 to 6 properties which is already show in the suit. Further the plaintiff has also sought amendment to include application schedule item No.8 to 13 properties. These items No.8 to 13 properties are not included at the time of filing of suit. Hence at this stage new properties cannot be included. However the plaintiff can

be permitted to amend item No.1 to 6 properties as prayed in application. Hence, I proceed to pass the following;

**-:: ORDER ::-**

***I.A. No.2 application filed by plaintiff under order 6 rule 17 R/w 151 and 152 of C.P.C is hereby partly allowed***

***Plaintiff is permitted to amend his plaint in item No.1 to 6 properties as prayed in application.***

***Plaintiff is not permitted to amend his plaint as per item No.8 to 13 as prayed in application.***

***To amend the plaint on or before 31-08-2015.***

**(M.S. Shashikala)**  
Prl. Civil Judge & J.M.F.C.,  
Channarayapatna.

