

**ORDER ON I A NO.X FILED BY PLAINTIFF
UNDER ORDER VI RULE 17 OF CPC**

The plaintiff filed I A NO.X under Order VI rule 17 of C.P.C seeking permission to amend the plaint as sought in the application by including some other properties as the additional Suit Schedule Properties.

Copy served on defendants and submitted no objection .

Heard both sides.

The applicant (Plaintiff) also contends that she has filed this suit, against the Defendants, for the relief of partition and separate possession of their legitimate share in the Suit Schedule Properties. Further, the applicant also contends that at the time of filing of this suit some of the documents were not available, hence, she could not include the properties, which are now sought to be included by this amendment, even after exercising due diligence. Further, the applicant (Plaintiff) contends that now she has obtained the documents recently, hence, she has filed this application.

The proposed amendment appears just and necessary in order to adjudicate the dispute.

The amendment as sought in the application does not appear to take away the right of defendants. The proposed amendment appears just and necessary for proper adjudication of the dispute and to avoid multiplicities in the suit. The court is of the opinion that there seems to be necessity of permitting the plaintiff to amend plaint as sought in the application. Further, the amendment as sought by plaintiff will not seem to change or alter the nature of the suit. At this juncture, the amendment appears just and necessary for proper adjudication and to meet the ends of justice. Thus, the plaintiff made out grounds for allowing the application. Hence, under the above stated circumstances, this court deems it fit and proper to pass the following

O R D E R

The I.A.No.X filed by plaintiff under Order VI rule 17 R/w section 151 of CPC is hereby allowed.

The plaintiff is permitted to amend the plaint as sought for in the application.

II ACJ and J.M.F.C.
Channarayapatna

Advocate for Plaintiff filed IA No. IX under order 1 r. 10(2) of CPC pray to permit the plaintiff to delete the names of the defendant No. 11 and 12 .

Copy served on defendants and submitted no objection .

Heard both sides.

The applicant (Plaintiff No.4) also contends that she has filed this suit, against the Defendants, for the relief of partition and separate possession of their legitimate share in the Suit Schedule Properties. Further, the applicant also contends that defendant No. 11 and 12 are the purchaser of suit item No. 15 and 16 properties. Further contends that plaintiff and defendant arrived to compromise and plaintiffs are ready to give up their right on suit item No. 15 and 16 properties. Therefore it is essential to delete the defendant No. 11 and 12 from the suit.

Accepting the reasons assigned in the affidavit it is just and necessary to permit the plaintiff to delete the names of the defendant

No. 11 and 12 from the suit as prayed in the application.

Hence, under the above stated circumstances, this court deems it fit and proper to pass the following

O R D E R

The I.A.No.IX filed by plaintiff under Order 1 rule 10(2) of CPC is hereby allowed.

The plaintiff is permitted to carry out necessary amendment as prayed in the application.

II ACJ and J.M.F.C.
Channarayapatna.