

ORDER ON I.A.NO-3 FILED UNDER

ORDER 6 RULE 17 OF CPC.

The plaintiff has filed the present application for amendment of the plaint.

2. The plaintiff has contended that, the plaintiff has filed suit for the relief of declaration and injunction against the defendants. Recently the plaintiff has come know that, due to hurry and urgency in filing the suit the plaintiff has left several important facts regarding relationship etc. in the plaint. The plaintiff now intended to insert the said material facts regarding the relationship of the plaintiff with the defendants. On the said material grounds the plaintiff has prayed for allowing the present application.

3. The defendant no-1 has filed objections to the present application by denying the grounds of the application. He has contended that the plaintiff is not related to the defendants.

The plaintiff in order to grab the death benefits of Shivaputra has created a story about the marriage of the plaintiff with the Shivaputra. On the said material grounds the defendant No-1 has prayed for rejection of the present application.

4. Heard the arguments.

5. Perused the records, the plaintiff has filed the present suit for the relief of declaration and injunction. The plaintiff has claimed the declaration that, she is entitled for the death benefits of the deceased Shivaputra being the wife of the deceased Shivaputra. The defendants have denied the relationship of the plaintiff with the deceased Shivaputra. Now the plaintiff has filed an amendment application praying to amend the plaint by inserting the pleadings about the marriage of the plaintiff with the Shivaputra and the relief of declaration that, the plaintiff is the legally wedded wife of the deceased Shivaputra. Hence, considering the materials on record it appears that, the plaintiff has filed the present

application before commencement of trial and on denial of her status by the defendants in their written statement. Hence, considering dispute between the parties and in order to give an opportunity to the plaintiff to put forth her case on merits the present application is required to be allowed.

Hence, IA No-3 filed by the plaintiff is hereby allowed.

Senior Civil Judge and JMFC,  
Afzalpur.