

ORDER ON I.A.NO-4 FILED UNDER

ORDER 6 RULE 17 OF CPC.

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

2. The legal heir of the original plaintiff/applicant has contended that, during the pendency of the suit the mother of the applicant has died. The applicant come to know that, due to oversight the plaintiff has not included the house property and the amount standing in the name of the grandfather of the applicant i.e., Hanamant in the present suit. The applicant has recently come to know about the said facts. On the said material grounds the applicant has prayed for allowing the present application.

3. The defendants have not filed any objections to the present application.

4. Heard the arguments.

5. Perused the records, the plaintiff has filed the present suit for the relief of partition and separate possession against the defendants. The applicant has contended that, due to oversight the house property and the amount standing in the name of the grandfather of the applicant were not included in the present suit. The applicant has produced the house Tax demand register extract of the house standing in the name of the grandmother of the applicant. The applicant has also produced the copy of passbook of the grandfather of the applicant. Hence considering the grounds of the application and nature of the suit and stage of the case and nature of the amendment sought I am of the opinion that, the present application is required to be allowed.

Hence IA No-4 filed by the plaintiff is hereby allowed.

Senior Civil Judge and JMFC,
Afzalpur.