

ORDER ON IA NO-8 FILED UNDERORDER 6 RULE 17 OF CPC.

1.	Provision under which the application is filed	Under order 6 rule 17 of CPC.
2.	Relief sought for	Amendment of plaint.
3.	The date on which the application is filed	28-07-2025
4.	Number of the application	I.A.No-8
5.	The date on which the objections are filed by different opponents	29-08-2025
6.	The date on which the orders were passed on the said application	06-11-2025

The plaintiffs have filed the present application for amendment of the plaint.

2. The plaintiffs have contended that, the **description** of the suit property shown by the plaintiffs in the plaint is required to be deleted and new **description** of the suit property is required to be added to the plaint. In para No-2 of

the plaint **West** is required to be deleted and **South** is required to be added in Para No-3 **West** is required to be deleted and South is required to be added. In Para No-3 **and remaining land holders** is required to be deleted. The sketch map is produced by the plaintiffs. In the plaint the **plaintiff** is required to be deleted and the **plaintiffs** is required to be added.

3. The plaintiffs further contended that, the amendment sought will not cause any loss to the defendants and the same will enable the court to adjudicate the dispute between the parties effectually and finally. On the said material grounds the plaintiffs have prayed for allowing the present application.

4. The defendants have filed their objections by denying the grounds of the application. The defendants have contended that, the matter is posted for arguments and at this stage the present application is not maintainable. The application is filed by the plaintiff No-2. The signature of the

plaintiff No-2 is not appearing in the application and affidavit. The plaintiffs have admitted the boundaries of the suit property in their evidence and the said boundaries cannot be permitted to be deleted by way of amendment. The plaintiffs have filed application in order prolong the matter. On the said material grounds the defendants have prayed for rejection of the present application.

5. Heard the arguments.

6. Perused the records, the plaintiffs have filed the present suit for the relief of declaration of right of way by way of easement of necessity and permanent injunction against the defendants in the year 2022. The plaintiffs have filed the present application in the year 2025 when the matter was posted for arguments. The plaintiffs have not mentioned any reasons as to why they have not mentioned the correct boundaries and the proposed amendment in the plaint at the earlier stage of the case. The plaintiffs have not shown any

reasons for the delay for seeking the amendment in their application. The plaintiff No-2 who has filed the application appears to be not signed the application.

7. The plaintiffs in the plaint have shown that, the suit property is bounded towards East government road and West Survey No-222/5 of the plaintiff. North survey No-222/1 and South survey No-222/4. The plaintiffs now intended to insert the boundaries towards East- land of the defendant no-1. West- survey number 225/5 land of the plaintiff no-2. North- land of the plaintiffs. South – cart way. Hence on considering the materials on record it appears that, the plaintiff No-2 who has filed the application has not signed the application and affidavit. The plaintiffs have not mentioned any reasons for permitting the plaintiffs to amend the plaint. Hence on considering the materials on record I am of the opinion that, the plaintiffs have not made out grounds for allowing the present application. Hence the present application is required to be rejected.

Hence IA No-8 filed by the plaintiffs is hereby rejected.

Senior Civil Judge and JMFC,
Afzalpur.