

ORDER ON IA NO-9 FILED UNDER

ORDER 6 RULE 17 OF CPC.

1.	Provision under which the application is filed	Order 6 rule 17 of CPC.
2.	Relief sought for	Amendment of plaint.
3.	The date on which the application is filed	03-12-2025
4.	Number of the application	I.A.No-9
5.	The date on which the objections are filed by different opponents	06-12-2025
6.	The date on which the orders were passed on the said application	19-02-2026

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 earlier is required to be deleted and the plaintiff is required to be permitted to add the new description of the suit property. The plaintiffs are required to

be permitted to delete the word west in para no-2 and permitted to insert the word south in para no-3 the plaintiffs are required to be permit to delete the word west and permitted to insert the word south. In the para no-3 the word and remaining land holders is required to be deleted and the plaintiffs are required to be permitted to insert the word plaintiffs in the place of the plaintiff. No any harm is going to cause to the defendants by allowing the present application. The amendment will enable the court to decide the dispute between the parties effectively and finally. On the said material grounds the plaintiffs have prayed for allowing the present application.

3. The defendants have filed their objections to the present application by denying the grounds of the application. The defendants have contended that the evidence of the parties is already completed at this stage the application is not maintainable. If the application is allowed then the entire nature of the suit will change. On the said material grounds

the defendants have prayed for rejection of the present application.

4. Heard the arguments.

5. Perused the records, the plaintiffs have filed the present suit for the relief of declaration of right of way of easement of necessity and permanent injunction against the defendants. The plaintiffs now intended to insert the description of the property by way of amendment. The present application is filed at the stage of arguments. Hence considering the nature of the amendment sought and in order to give an opportunity to the plaintiffs to put forth their case on merits the present application is required to be allowed on cost. Considering the delay caused to the defendants and conduct of the plaintiffs the present application is required to be allowed on cost of Rs.3,000/-and subject to co-operating with the present matter on day to day basis.

Hence IA No-9 filed by the plaintiffs under order 6 rule 17 of CPC is hereby allowed on cost of Rs.3,000/- and subject to co-operation in the matter on day to day basis.

For amendment and amended plaint and arguments.

By

Senior Civil Judge and JMFC,

Afzalpur.