

Order below Exh.31

Perused the application. This is for amendment in the suit.

02. Plaintiff contended that the present suit is for perpetual injunction as per his further contentions defendant constructed tar road illegally and forcefully during pendency of the suit. Now, plaintiff prayed for amendment in the plaint of the suit.

03. On the other hand, defendant Nos. 1 to 3 filed their say and opposed the application contending that plaintiff has to prove his own contentions. There is no evidence to contentions in the application proceeding. Hence, they prayed for rejection of the application.

04. Heard both sides. Perused the record. Plaintiff submitted two citations of Hon'ble Bombay High Court , one **Balkrishna Ganpat Elwande vs. Shankar Tukaram Sable¹**, and another is **Basavanappa Bhimsha Koli Alias Jamdar vs. Sunil Basavanappa Jidge²**. Perused these citations carefully. Here, in order to decide all claims in one suit proceeding, this application deserves to be allowed. Hence, in the interest of justice, I pass following order :-

ORDER

1. The application is allowed, subject to cost of Rs. 400/- payable to the other side.
2. The plaintiff is directed to make proposed amendments in plaint of the suit within 14 days from the date of this order.

1 2006 CJ(Bom)(9)12

2 2007 MhLJ (6) 740

3. Both parties are directed to proceed with the suit on next date as per law.

Date:24/07/2025
Place: Lanja.

(S. R. Joshi)
Civil Judge Junior Division.
Lanja.

CERTIFICATE

I affirm that the contents of this pdf file Order are same words as per original Order,

Name of the Stenographer: S. D. Chavan

*Court Name: Civil & Criminal Court, Lanja,
Dist.Ratnagiri,*

Date of decision : 24/07/2025.

Judgment/Order signed by P.O.on : 24/07/2025.

Judgment/Order uploaded on : 30/07/2025.