

**ORDER ON IA NO. XI**

01. The applicants/plaintiffs filed IA No.XI under Order VI, Rule 17 read with section 151 of CPC seeking for amendment in the plaint pertaining to the correction of the boundaries of the suit schedule property in the schedule of the plaint and to correct the serial number of the plaintiffs legal heirs as 1(a) to 1(h) instead of serial number 1 to 8 in cause title of the plaint and similarly to correct the serial number of the defendants as 1 to 3 instead of 1(a) , 1(b) , 2 and 3 which as wrongly mentioned in the cause title of the plaint which is purely a typographical error and inadvertence.

02. Perused the plaint, written statement and also the proposed amendment. The proposed amendment will not change the nature of suit or defence and also will not change the cause of action. It is sought only for the correction typographical error crept in the serial number of the plaintiffs and defendants mentioned in the cause title of the plaint and so also correction of the boundaries of suit schedule property on the northern and southern side which has been inter changed due to the oversight and inadvertence. It is well-settled legal principles that, courts must be liberal in allowing the application for amendment of pleadings. This proposition finds support from the ratio laid down by **Supreme Court in 2007 SAR (Civil) 837 (Narain Prasad Aggarwal (D) by LRs. V/s. State of MP.)**

***“(D) Pleadings – Ordinarily, Mofussil pleadings are not to be strictly construed-Pleadings must be construed as a whole”***

04. Hence I am of the opinion that IA No. XI can be allowed.  
Hence I proceed to pass the following;

**ORDER**

**IA No. XI filed by the applicants/plaintiffs under Order VI, Rule 17 read with section 151 of CPC seeking for amendment in the in the plaint is allowed on cost of Rs.200/-.**

**The plaintiffs are permitted to amend the plaint as sought in IA No.XI**

**Additional issues framed and read over in the open court.**

**For Amended plaint.**

**Put up on : 24.02.2022.**

(Dictated to the Stenographer directly on computer, corrected and then pronounced by me in the open court on this the day of 9<sup>th</sup> day of February, 2022)

(NATARAJ YADAV.S)  
Senior Civil Judge & JMFC  
H.D.Kote