

### **Order on I.A.No.III**

The present application I.A.No.III is filed by the plaintiffs U/O 6 Rule 17 of CPC praying for an order to permit them to carryout amendment as stated in the application.

2. The said application is supported by the affidavit of the plaintiff No.6 and it is sworn that the year of death of Nabhi Ahmed is wrongly stated as 1997 instead of 1993 in the plaint. It is also sworn that rectification of year of death is very much necessary and same will not change the nature of suit. Hence prayed to allow the application.

3. The counsel for defendants did file objection to the application and therefore the objection was taken as nil.

4. Heard the arguments of counsel for plaintiffs.

5. The plaintiffs have filed present application to rectify

the year of death of Nabhi Ahmed mentioned in plaint. In support of the application the plaintiffs have produced death certificate of said Nabhi Ahmed and on perusal of said document the date of death of said Nabhi Ahmed is 06.08.1993. The plaintiffs in the plaint have stated the year of death as 1997. By considering the said death certificate, the plaintiff should be permitted to rectify the year of death which has been wrongly stated in the plaint. The proposed amendment will not change nature of suit or it will create any new cause of action. Hence this this court proceeds to pass the following:

**ORDER**

**The application I.A.No.III filed by the plaintiffs U/O 6 Rule 17 of CPC is hereby allowed.**

**The plaintiffs are hereby permitted to carryout the amendment as stated in the application.**

**For amendment and amended plaint.**

**Call on: 28.02.2025.**

**(Sandesh Prabhu. B)  
Senior Civil Judge & J.M.F.C  
H.D.Kote**