

**ORDER ON I.A. No.I FILED BY THE
PLAINTIFF UNDER ORDER
VI RULE 17 R/W 151 OF CPC**

The Applicant/plaintiff has filed Application/I.A. No.I under Order VI Rule 17 r/w 151 of CPC seeking for amendment of the plaint as follows -

- ಪುಟ 1 ರಲ್ಲಿ 5 ನೇ ಪ್ರತಿವಾದಿ ಗಂಡನ ಹೆಸರು ಮತ್ತು ವಿಳಾಸವನ್ನು ತೆಗೆದು ಹಾಕಿ ಅಲ್ಲಿಗೆ "ಶಂಕರಚಾರಿ, ಜಿ.ಬಿ. ಸರಗೂರು, ಹಂಪಾಪುರ ಹೋಬಳಿ, ಹೆಚ್.ಡಿ. ಕೋಟೆ ತಾಲ್ಲೂಕು" ಎಂದು ಮತ್ತು
- ಪುಟ 2 ರಲ್ಲಿ 6 ನೇ ಪ್ರತಿವಾದಿಯ ಹೆಸರನ್ನು ತೆಗೆದು ಹಾಕಿ ಅಲ್ಲಿಗೆ "ಜಯಮ್ಮ ಕೋಂ ವೆಂಕಟೇಶ, ವಯಸ್ಸು 42 ವರ್ಷ, ಕಣಿವೆ ಕೊಪ್ಪಲು, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ" ಎಂದು ಮತ್ತು
- ಪುಟ 2 ರಲ್ಲಿ ಇರುವ ವಂಶವೃಕ್ಷದಲ್ಲಿ ನಿರ್ಮಲ ಎಂಬುದನ್ನು ತೆಗೆದು ಅಲ್ಲಿಗೆ "ಜಯಮ್ಮ" ಎಂದು ಸೇರಿಸುವುದರ ಮತ್ತು ಮೂಲಕ ದಾವಾಪತ್ರವನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಆದೇಶಿಸಬೇಕಾಗಿ ಪ್ರಾರ್ಥನೆ.

2. In the accompanying affidavit it is stated that, he has filed the suit against the defendants for the relief of partition and separate possession in the suit schedule property. The plaintiff has filed this application seeking for amendment in the name and address of defendant No.5 & 6. The said amendment is necessary for the adjudication of the suit. Hence, prays to allow the application.

3. The summons to defendants not served.

4. On perusal of the record the present suit is filed for the relief of partition

and separate possession of the suit schedule property. After filing of this suit, summons has been issued to the defendants, but it is not served and the suit is posted for steps against the defendants. At this initial stage only the plaintiff has filed IA No.I seeking amendment in the plaint. Since the suit is still at the stage of issuance of summons to the defendants, therefore, if the proposed amendment is allowed, no hardship would be caused to the other side, and it neither change the nature of suit nor brings a new cause of action. Further, it would be helpful to decide real question in controversy between the parties, hence, IA deserves to be allowed to avoid the multiplicity of proceedings. In view of that, I proceed to pass the following:

ORDER

The IA No.I filed by the applicant/plaintiff under Order VI Rule 17 r/w 151 of CPC is hereby allowed on cost of Rs.250/- payable to TLSC, H.D. Kote.

The applicant/plaintiff is permitted to carryout the proposed amendment in the plaint as per law.

For amendment and amended plaint
by 28.08.2024

Addl.Civil Judge & JMFC.,
Heggadadevanakote.