

ORDERS ON APPLICATION FILED
UNDER ORDER 6 RULE 17 OF CPC

Advocate for the petitioner filed the above application and sought to amend the petition in the cause title as mentioned in the application schedule on the grounds that she has maintained the instant petition as per the preliminary decree passed in OS No.58/2010. Whereas, while filing the instant petition due to typographical error, the name of the 12th defendant has not been included in the cause title of the petition. Hence this application. If the application is not allowed, much hardship will be caused to the petitioner and on the other hand, no hardship will be caused to the other side and accordingly, sought to allow the application.

On the other hand, the respondents submit no objections to allow the application.

Heard both the parties. Perused the materials on record.

On perusal of the material on record, it reveals that admittedly the original suit maintained by the petitioner against 13 defendants. Whereas in the cause title of the

instant petition admittedly the name of the 12th defendant is missing. It appears that due to typographical error, the petitioner has failed to insert the name of the 12th defendant as 12th respondent and given the Sl. No. 12 to 13th defendant. Hence, if the application is not allowed, much hardship will be caused to the petitioner and on the other hand, no hardship will be caused to the other side. Accordingly, I proceed to pass the following:

O R D E R

Application filed under Order 6 Rule 17 CPC by the petitioner is hereby allowed on cost of Rs.200/-.

Accordingly, petitioner is permitted to amend the cause title petition as mentioned in the application schedule and is directed to furnish amended petition by 19.11.2019.

Prl. Senior Civil Judge & J.M.F.C.,
Hunsur.