

ORDERS ON IA.NO.1

This is an application filed by the plaintiff U/o 6 Rule 17 of CPC with a prayer to permit the plaintiff to amend its plaint at some para with regard to the date of Hypothecation date as prayed in the application.

Heard on application.

Perused the contents of affidavit annexed to the present application and documents and also plaint averments.

Admittedly the plaintiff has filed the present suit against the defendant for recovery of money based on some documents. The present application is supported by the affidavit of the plaintiff, wherein he deposed that the present amendment is very much necessary for better adjudication of the subject matter.

I have perused the averments of the plaint, application and documents. The plaintiff is intending to rectify the date of Hyphotication dated as **31** instead of **30** in paras of the plaint. The burden to prove pleadings is always upon the plaintiff. While allowing this application, no harm or injury would be caused to the defendant

and it will not amount to retraction of any admissions. Under such circumstances, the proposed amendment will not cause any prejudice to the defendant. The nature of the suit will not be changed by virtue of proposed amendment. Hence, viewed from this angle, plaintiff has made out grounds for allowing the application. By considering nature of the suit, facts and circumstances of case. I proceed to pass the following :

ORDER

IA.No.1 filed by the plaintiff U/o 6 Rule 17 of CPC is hereby allowed on cost of Rs.200/-.

The plaintiff is permitted to amend the plaint as prayed in the application and shall furnish amended plaint.

Call on 09.12.2024.

Sd/-
C/c Prl., CJ & JMFC.,
Kanakapura.