

ORDER ON I.A No.8

The Plaintiff filed this application U/o 6 Rule 17 of CPC to amend the plaint by insertion of para No.11(a) to (d).

2. In the affidavit contended that, the plaintiff filed this suit for injunction against the defendant and also contended that in the applicant being the legal heir of the plaintiff. Recently the applicant got information along with copies regarding the schedule properties. The applicant was not incorporated alleged amendment paragraph in the original plaint as the mother of plaintiff has filed the plaint long back. The amendment is very much necessary to prove the suit and prays to allow the application.

3. On the other hand, the defendant submitted that the above said application was allowed on costs.

4. Heard both the sides.

5. After going through the material available on records, the plaintiff filed this suit for bare injunction against the defendant in respect of the suit schedule properties. The plaintiff intended to insert the para No.11(a) to (d) which discloses about the execution of will, order of the Hon'ble Apex court and some of the other proceedings which were taken place. Hence, considering the entire material and now the case is posted for plaintiff evidence and the plaintiff evidence was not at begin and other side has also submitted that no objection. Hence, considering the entire material it is necessary to allow the application in the interest of justice. Hence, this court proceed to pass the following;

ORDER

I.A.No.8 filed by the plaintiff
U/O 6 rule 17 of CPC is hereby
allowed.

The plaintiff is directed to
amend the plaint and furnished to
the amended plaint.

O.S.No.440/2015

Call on 07.12.2023

(SURESH ANNAPPA SAVADI)

Prl. Civil Judge & JMFC.,
Kanakapura.