



**IN THE COURT OF THE PRINCIPAL CIVIL JUDGE & JMFC.,
AT MAGADI.**

:-Present:-

Sri. Shrinivasa K.R. B.A.L., LL.M.,
Prl. Civil Judge & JMFC.,
Magadi.

Dated this the 27th day of June, 2025

O. S. No. 163/2025

PLAINTIFF : Sri.Narasimhamurthy S/o Late Puttaiah.

:Vs:

DEFENDANT : Sri.Harisha S/o Late Shivanna.

I.A. No.I

APPLICANT: Sri.Narasimhamurthy,
S/o Late Puttaiah,
Aged about 62 years,
Residing at Bisalahalli Village,
Kudur Hobli, Magadi Taluk,
Ramanagara District.

(Sri.R.S.N.,Adv.,)

OPPONENT: Sri.Harisha,
S/o Late Shivanna,
Aged about 33 years,
Residing at Bisalahalli Village,
Kudur Hobli, Magadi Taluk,
Ramanagara District.

**ORDER ON I.A.NoI**

That the plaintiff has filed the interim application U/O VI Rule 17 of C.P.C., for amendment of plaint seeking to delete the village name of Bisalahalli and insert in its place as Byrapura.

2. In an annexed affidavit the plaintiff contended that, the plaintiff filed the suit against the defendant for the relief of permanent injunction with respect to suit schedule property. The suit schedule property situated at Byrapura Village. At the time of drafting the plaint the village name of the schedule property mentioned as Bisalahalli Village instead of Byrapura Village. The proposed amendment is necessary for adjudication of the case. Hence, prays to allow the application.

3. Heard by plaintiff counsel.

4. The following points are arises for my consideration:

1. Whether the application filed by the plaintiff is deserves to be allowed ?



2. *What order?*

5. My answer to the above points are as under;

Point No.1 : In the **Affirmative**

Point No.2 : As per the final
order for the following:

REASONS

6. **Point No.1:** I have perused the plaint, documents and other records. The plaintiff has filed suit against the defendants for the relief of permanent injunction.

7. In the present application the plaintiff seeking amend the village name as Byrapura instead of Bisalahalli. Hence, prays to allow the application.

“ Order VI Rule 17 of CPC provides that the Court may at any stage of the proceedings allow either party to alter or amend the pleadings in such manner and on such terms as may be just and all such amendments shall be made as may be necessary for the purpose of determining the real



questions in controversy between the parties.

Therefore, since the trial of the case is in initial stage and looking to the facts and circumstances of the case, if the application filed by plaintiff seeking amendment of plaint is allowed no prejudice would be cause to the other side. Further, the proposed amendment will not change the nature of the suit. Under these circumstances, this court is of the opinion that it would be just and necessary to permit the plaintiff to amend the plaint for effective adjudication of matter in issue. The plaintiff has made good grounds to allow the application. Accordingly, Point No.1 is answered in the **affirmative.**

8. **Point No.2:** In view of above discussion my answer to the above point, I proceed to pass the following:



ORDER

The application filed by the plaintiff U/o VI Rule 17 of C.P.C., is hereby allowed.

The plaintiff is directed to carryout the amendment as sought in the application and furnish the amended plaint without fail.

(Directly dictated to Stenographer directly on the Computer, typed by her, then corrected and pronounced by me in the open Court on this the **27th day of June, 2025.**)

**Prl. Civil Judge & J.M.F.C.,
Magadi.**