

Case called out.

Counsel for defendant No.4 files his objection to IA No.VI.

Counsel for defendant No.1 and 3 already filed his objection.

Heard both side.

Perused the records.

The Plaintiffs filed the IA No. VI U/o 6 Rule 17 of CPC by praying to rectify a typographical error crept in the schedule of the plaint.

According to the plaintiff the actual Survey Number of suit B property is 29/* and the same is situated at the Nanjapura Village and due to typographical error the said Survey Number was wrongly mentioned as 136/* and the name of the village also wrongly typed as Siddapura. Accordingly they prays to permit the proposed amendment.

The defendant No. 1, 3 and 4 are opposing the proposed amendment on the ground that the same will change the nature of the suit.

On careful perusal of the records it appears that the dispute between the parties in this suit is existing in respect of Sy.No.29 of Nanjapura Village and

not regarding Sy No.136 of Siddapura Village. The said fact is evident from the Written Statement contention of defendant no.1 and 3. Thus it is satisfy that due to typographical error the Survey Number 29/* of Nanjapura Village is wrongly typed as Survey Number 136/* of Siddapura Village in schedule B of the plaint.

The trial of this suit not yet commenced. The proposed amendment does not introduce any new cause of action nor change the nature of the suit. It will also not work any injustice on the defendants. Hence, the proposed amendment deserved to be allowed.

Accordingly the following:

ORDER

The IA No. VI filed by the plaintiff U/o 6 Rule 17 of CPC is allowed on cost of Rs.300/- payable to defendant No. 1, 3 and 4.

Plaintiff shall carry out amendment as per the above order and order dated 22.07.2025 in the original plaint and to file amended plaint by next date of hearing.

Call on 12-11-2025.

Prl. Civil Judge & JMFC.,
Bhadravathi.