

Orders on amendment application

The advocate for plaintiff has filed application to amend the boundaries of the schedule property.

In the affidavit, it is stated that, towards the north and south, the boundaries are wrong in the plaint schedule and schedule A property and to correct this proposed amendment which has crept due to typographical error.

The advocate for defendants files objections that, the proposed amendment boundaries are also imaginary and no such property exist and that this amendment is not necessary for adjudication and it would change the identity of the suit property and hence, prays to dismiss the application.

Heard.

From the proposed amendment, plaintiff is seeking correction in the boundaries of the schedule and schedule A property. This amendment is necessary for adjudication and of identity of the suit property. The version of the defendants that the boundaries referred is wrong and imaginary. Such is a matter of trial and amendment application cannot be decided on merits. As the amendment is necessary, this court proceeds to pass the following:

ORDER

Application filed under Order 6 Rule 17 of CPC is hereby allowed.

For amendment and for amended plaint, call on 12.07.2023.

Sd/-
PCJ & JMFC.