

ORDERS ON I.A. NO.12

This is an application filed by the plaintiff U/o 6 rule 17 r/w Sec.151 of CPC for the amendment of plaint. The plaintiff has sought for the amendment of plaint by stating that, two properties were not included in the plaint schedule which are very necessary to adjudicate the matter in dispute and hence prays to allow the application.

2. The defendants have not filed their objections to the application.

3. Heard the arguments and perused the record.

4. The points that arise for my consideration are;

1. Whether the application is deserved to be allowed?
2. What Order?

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

Point No.1 : In the Affirmative

Point No.2 : As per Final Order
for the following;

REASONS

6. **POINT NO.1:** The plaintiffs have filed this suit against the defendants for the relief of partition and separate possession in respect of the suit schedule properties. The plaintiff has filed this application by stating that, he has not included two more properties belonging to his family and

therefore, the inclusion of those two properties is very necessary to adjudicate the matter in dispute.

7. On perusal of the case papers on record it is found that, the inclusion of these properties is very necessary to adjudicate the matter in dispute. Moreover the defendant have not filed their objections and therefore, it is just and fair to given an opportunity to include these properties in the suit and accordingly I answer the point no.1 in the Affirmative.

8. **POINT NO.2:** For the above discussed reasons, I proceed to pass the following;

ORDER

I.A. No.12 filed by the plaintiff U/o 6 rule 17 r/w
Sec.151 of CPC is hereby allowed.

The plaintiff is directed to amend the plaint and to
furnish amended plaint by 28.11.2018.

**Senior Civil Judge & JMFC.,
Sira.**