

KAUK510011982018



ORDERS ON I.A NO.V

At the stage of further plaintiff's, evidence, the present application is filed by the plaintiff under Order VI Rule 17 R/w Section 151 of C.P.C for amendment of plaint.

In the affidavit filed in support of the instant application, it is stated by the plaintiff that, there are some typographical error and the same is to be rectified and the present application is not barred by law of limitation and prays to allowed the same.

On the other hand, the defendants have not filed objections to the instant application.

Perused the entire materials.

Suit is for the relief of declaration and injunction. Along with plaint, the plaintiff has annexed hand sketch. In the hand sketch, the plaintiff has shown the portion of right of way as 'KLMB' but, in the body of the plaint and prayer column, the plaintiff has shown the same as 'XY' and now, he intends to rectify it as 'KLMB' by deleting 'XY'. The further amendment sought by the plaintiff is that, his successors in title were also using 'KLMB' portion as passage and after

purchase of the property by him, he continued the same and he has got easementary right over the said portion. So far as this amendment is concerned, it is nothing but giving further details with regard to alleged easementary right. Hence, no prejudice will be caused to other side if the instant application is allowed. Having regard to the same, Court proceeds to pass the following:

ORDER

I.A No.V filed by the plaintiff under Order VI Rule 17 R/w Section 151 of C.P.C is hereby allowed with cost of Rs.100/-.

The plaintiff is permitted to carry out necessary amendment to the plaint and furnish amended plaint.

Call on 10.06.2025.

**Civil Judge & JMFC.,
Haliyal.**