

OS 76/2018

22.7.2022

ORDER ON I A FILED DEFENDANTS
UNDER ORDER VI RULE 17 OF CPC

The defendant filed I.A under Order VI rule 17 of C.P.C seeking permission to amend the written statement as sought in the application.

The counsel for plaintiff submits no objection to the application.

Heard counsel for defendants and plaintiff. Perused the materials on record.

The defendants contended that due to typographical mistake error occurred in the written statement as mentioned in the application. The amendment as sought by defendants does not appear to substitute or introduce new facts in the case. The amendment as sought by defendants appears to rectify the mistake stated to have occurred in the written statement. The amendment as sought in the application appears just and necessary for proper adjudication of the dispute. Further, the amendment as sought by defendants would not seem to change or alter the nature of the suit. At this juncture, the amendment appears just and necessary in order to arrive at just conclusion. The counsel for plaintiff submitted no objection to the application. Thus, defendants made out grounds for

allowing the application. Hence, under the above stated circumstances, this court deems it fit and proper to pass the following

ORDER

The I.A filed by defendants under Order VI rule 17 of CPC is hereby allowed.

The defendants are permitted to amend the written statement as sought for in the application.

Sd/-

C/c Addl.Civil Judge, Kumta.