

ORDER ON I.A. NO.25

Learned counsel for plaintiff filed IA No. 25 Under Order 6 Rule 17 CPC seeking permission to carryout proposed amendment in the plaint, in the ends of justice and equity.

Learned counsel for Defendants No. 1 to 3 orally opposed for allowing the application.

Heard and perused.

The plaintiff by way of amendment intends to insert at the end of para No. III(7) the IA schedule facts.

It is submitted by the learned counsel for plaintiff that by oversight they could not plead IA schedule fact in the plaint, hence, insertion of the said fact in the pleading is absolutely

required for.

The plaintiff filed suit for Declaration that she is the absolute owner of the suit property with right to use the suit road and consequently for a relief of permanent injunction against the defendants. If the relief sought by the plaintiff is considered then the proposed amendment will not change the nature of case already put forth by the plaintiff, hence, ends of justice, this court finds it just to allow the application. Accordingly, the following:

ORDER

I.A. No. 25 filed by the plaintiff under Order 6 Rule 17 of CPC is allowed.

Plaintiff is permitted to

carry out proposed amendment
in the plaint.

Sd/-

(ROOPASHRI)

Senior Civil Judge & ACJM.,
Karkala.

For amendment and to
furnish amended plaint by
15.12.2021.

