

**IN THE COURT OF THE SENIOR CIVIL JUDGE & JMFC.,
SHAHAPUR.**

DATED THIS THE 17TH DAY OF JUNE 2025

Present: Smt.Hema Pastapur,B.A., LL.B

SENIOR CIVIL JUDGE & JMFC., SHAHAPUR.

O.S.No.27/2022

Smt. Eramma V/s Basavaraj & Ors

I.A. No.II Cause Title

Plaintiff: 1. Eramma W/o Bhimaraya Bijaspur, Age: 65 years, Occ: H.H. & Agri, R/o Khanapur village, at Halipeth Shahapur, Tq: Shahapur, Dist. Yadgir.

(By Sri. B.V.P., Advocate).

V/s

Defendants:	1.	Basavaraj S/o Devindrappa Sheshagiri, Age: 58 years, Occ: Agri.
	2.	Chandrashekar S/o Devindrappa Sheshagiri, Age: 55 years, Occ: Agri.
	3.	Laxmikanthreddy S/o Banneppa Badiyal, Age: 43 years, Occ: Agri.
	4.	Sugappa S/ Banneppa Badiyal, Age: 32 years, Occ: Agri.
	5.	Shreedevi D/o Banneppa Badiyal, Age: 28 years, Occ: H.H
	6.	Savita D/o Banneppa Badiyal, Age: 26 years, Occ: Agri.

	7.	Sahebreddy S/o Siddanna Gaddesugur, Age: 40 years, Occ: Agri.
	8.	Mallareddy S/o Diddanna Gaddesugur, Age: 36 years, Occ: Agri.
	9.	Ravi S/o Diddanna Gaddesugur, Age: 32 years, Occ: Agri.
	10.	Shamala D/o Siddanna Gaddesugur, Age: 42 years, Occ: Agri.
		All are R/o Khanapur village, Tq: Shahapur, Dist. Yadgir.

(Defendants No.1 and 2 by Sri. S.V.K., Advocate)

(Defendants No.03 to 10 Exparte)

ORDER ON I.A.NO.II

1. That, the plaintiff has filed the application under Order VI Rule 17 of Code of Civil Procedure, with a prayer permit her to include in para No.2, of the 5th line as Sl.Nos.6 and 7 of the plaint as under.

6. House No.2-97 for the year 2022-2023 in the name of defendant No.1.

7. House No.3-68 for the year 2022-2023 in the name of defendant No.2.

2. That, the defendants No.1 and 2 have submitted their objections to said application and have contended that the plaintiff has not assigned any sufficient ground for allowing the said application.

3. That, the defendants No.1 and 2 have further pleaded that, the plaintiff in order to drag the proceedings on one or other pretext filed the present application. That, the plaintiff has not given the description of the said house properties. Hence, the defendants No.1 and 2 in view of their aforesaid contentions have prayed for rejecting the said application.

4. That, I have heard the arguments and perused the materials placed on record.

5. That, the following points arise for My consideration and determination :-

1. Whether the plaintiff has made out the grounds that the alleged amendments are necessary to determine the lis between the parties ?

2. What order ?

6. That, My answer to the aforesaid points are as under :-

Point No.1:- In the **AFFIRMATIVE**.

Point No.2:- As per the final order for

the following :-

:- R E A S O N S :-

7. **Point No.1:-** That, the plaintiff is seeking the permission of this Court to carry out the alleged amendments in her plaint.

8. It is to be noted here that, all the amendments ought to be allowed if neither changes the nature of the case nor causes injustice to other side. It is to be noted here that, a party cannot be refused relief merely because of mistake, negligence, inadvertence or infraction of the rules of procedure. That, the Court would always permit the amendment of pleadings unless it is shown that the party seeking the amendment has acted with malafides or that by his blunder has caused injury to otherwise which may not be compensated in terms of costs.

9. That, the plaintiff in her application has mentioned that the due to oversight in her plaint she has not shown the said properties. It is to be noted that, the alleged amendments neither changes the nature of the case nor causes injustice to other side. It is to be noted here that, if the plaintiff is permitted to carryout the allege amendments then no prejudice would be caused to other side. Hence, without much discussion, point No.1 is answered in the **AFFIRMATIVE**.

10. **Point No.2:-** That, as discussed on point no.1, I proceed to pass the following :-

:- O R D E R :-

That, the application filed by the plaintiff in I.A.No.II is hereby allowed with cost of Rs.100/- .

That, the plaintiff is permitted to carryout the alleged amendments and file amended plaint. on 30/06/2025.

(Hema Pastapur)
Sr. Civil Judge & JMFC,
Shahapur.