

MHAH170004952020

RCS No.42/2020



Pooja Ravsaheb Bansode Vs.
Ravsaheb Kisan Bansode & Ors.

ORDER BELOW EXH.61

1. Perused application and say on it. Heard Learned advocate for the plaintiff. Defendants and their Learned advocate absent when called.
2. Perused record. Plaintiff is seeking to carry out the amendment as per order below Exh.56. Defendants have opposed the application by filing say that the amendment is not carried out within limitation. Hence, application be rejected. If the application is allowed it be allowed on heavy costs of Rs. 1000/-.
3. Record shows that by way of order dated 16/07/2025 below Exh.56 plaintiff was permitted to carry out the amendment within the statutory period. However, till today plaintiff did not carry out the amendment. According to the plaintiff inadvertently the amendment is not carried out. However, it is not proper reason because plaintiff should have to carry out amendment as per order of Court till date. There appears no reason for not carrying out the amendment inadvertently till date. Therefore, contents in the application not appeared proper and genuine. However, the suit is for partition and perpetual injunction. Already application of plaintiff for amendment is allowed. The defendants accrued the right in the

suit property. Therefore, for proper adjudication permission requires to be given to plaintiff to carry out amendment as per order below Exh.56. In result, application deserves to be allowed by imposing heavy costs. Therefore, I pass the following order;

ORDER

1. Application is allowed.
2. plaintiff is permitted to carry out the amendment as per order dated 16/07/2025 below Exh.56 on payment of costs of Rs.1,000/- to the defendants.
3. If on next date plaintiff did not pay the costs and did not carry amount the suit will be proceeded further.

Date:- 01/12/2025

(N. N. Joshi)
2nd Jt. Civil Judge Senior Division,
Rahata, Dist.Ahmednagar

<u>CERTIFICATE FOR UPLOADING TO CIS</u>		
I affirm that the contents of this P.D.F File are same word to word, as per the original.		
Name of the Court	:	Smt. Neha N. Joshi 2 th Jt. Civil Judge Senior Division & Addl. Chief Judicial Magistrate, Rahata, Dist.Ahmednagar.
Name of the Stenographer	:	Amol S. Nannaware Stenographer (Grade-II)
Dictated on computer	:	01/12/2025
Typed on	:	01/12/2025
Checked & Signed on	:	01/12/2025