

Order passed below Exh. 26 in R.C.S. No. 09/2021

1- This is an application presented by the plaintiff under order VI rule 17 of Code of Civil Procedure. In brief, the plaintiff submits that due to typing mistake, in the description of suit property it was written Gat no. 146/1/6 instead of 146/1/३. Now plaintiff wants to substitute Gat no. 146/1/6 as 146/1/३. Thus, the plaintiff prayed that the mistake is bonafide and it be allowed to be cured by allowing the application.

2- Defendants did not appear in the proceedings hence, ex-parte order has already been against them. Heard the learned Advocate of for the plaintiff. Perused the application.

3- Order VI Rule 17 of Civil Procedure Code states that, “The Court at any stage of proceedings allow either party to alter or amend his pleading in such manner and on such terms as may be just and all such amendments shall be made as may be necessary for the purpose of determining real question in controversy between the parties”.

4- On perusal of the application it appears that, the mistake appears to be bonafide and needs to be cured. No

prejudice is going to cause the other side if the proposed amendment is allowed.

5- In view of this observation, following order is passed.

ORDER

- 1- The application is allowed.
- 2- The plaintiff to carry out the proposed amendment within 14 days from the date of this order.

Place: Shevgaon

Sd/-

Date: 24.02.2023

(Monali A. Bendre)

2nd Civil Judge Junior Division,
Shevgaon.