

**R.C.S. No. 675 / 2018**  
(MHAH250016652018)  
Seema Vs. Ramchandra

**ORDER BELOW EXH. 33.**

This is an application by plaintiffs for seeking permission to amend the plaint as per Order- VI Rule 17 of the Code of Civil Procedure.

2. It is submitted that plaintiffs have filed suit for measurement of suit property and injunction. As per order below Exh.27, Court commissioner was appointed and measurement has been carried out. Court commissioner has submitted map and has given description of the areas in the map. In view of said measurement and map, it is necessary to amend pleadings to bring on record subsequent facts and also to seek subsequent relief. Hence, this application.

3. Application is opposed by defendant by submitting say at Exh.36. They submitted that plaintiffs have not paid proper court fees by submitting proper valuation of the suit and as relief is sought by way of amendment without paying proper court fees, application cannot be entertained and hence, it is liable to be rejected.

4. Heard learned advocate of either side.

5. Having considered submissions, it appears that in view of measurement of suit property by Court Commissioner and submission of map of measurement plaintiffs intends to amend plaint. It is for plaintiffs to prove the map of measurement and encroachment committed by defendants in the suit property as shown in the map.

Therefore, in view of measurement and map filed on record, plaintiffs could be allowed to amend plaint for the purpose as prayed for. Hence, I pass the following order:-

**ORDER**

1. Application is allowed.
2. Plaintiffs are permitted to carry out amendment in the plaint, as prayed for, till next date.

Date:- 25.03.2025  
Parner

( R. K. Deshpande )  
Civil Judge, Junior Division,  
Parner.