

ORDER BELOW EXH.17
(Passed on 30.07.2025)

This is an application filed by the plaintiff vide Order VI Rule 17 of the Code of Civil Procedure, 1908 (in short 'CPC') for consequential amendment in his plaint.

2] In this application it is contended by the plaintiff that, the he has filed this suit for the relief of possession and damages. In this suit defendants have amended their written statement. Therefore, in respect of said amendment the plaintiff wants to do the consequential amendment in his plaint. Therefore, the plaintiff be allowed to amend his plaint and insert the paragraph no. 3(a) in his plaint as mentioned in present application.

3] The defendants have filed their say to this application on the leaf of this application. In their say they have resisted this application. Further learned Advocate of defendants has submitted that, this application is not tenable in the eyes of law, therefore, this application be rejected with costs.

4] Heard the learned respective Advocates of both sides at length. On going through the overall record it appears that, during the pendency of this suit the defendants have amended their written statement and added the paragraph no. 9(a) in their written statement. Therefore, in respect of said amended pleading in written

statement the plaintiff wants to add his consequential pleading in his plaint. It also appears that the proposed amendment is of consequential nature. Due to proposed amendment the nature of this suit would not be changed. The proposed amendment is necessary for conclusive determination of controversy between the parties of this suit. In such circumstances for the just and proper adjudication of dispute and for avoiding multiplicity of proceedings this application deserves to be allowed as sought. Hence, I pass the following order.

ORDER

1. The application Exh.17 is hereby allowed.
2. The plaintiff shall carry out the proposed consequential amendment in his plaint on or before next date of this suit and shall produce the copy of amended plaint on record of this suit.
3. Costs in main cause.

Date : 30.07.2025

(Mahesh S. Kale)
Civil Judge (Sr.Dn.),
Akot.