

Spl.C.S.No.62/2018
Sumanbai Vs. Satish

ORDER BELOW EXH.46

(Passed on 14th day of February, 2025)

This is an application filed by the defendant for getting permission to do consequential amendment in his written statement vide Order VI Rule 17 of the Code of Civil Procedure, 1908 (in short 'CPC').

2. In this application it is contended by the defendant that, the plaintiff has done the amendment in his plaint in accordance with the order dated 08.01.2024 passed below Exh.33. The defendant intends to give his reply to said amended portion of plaint by way of consequential amendment in his written statement. Therefore, this application be allowed and permission may kindly be granted for doing consequential amendment in his written statement.

3. The plaintiff has filed his say to this application on the overleaf of this application. The plaintiff has opposed this application by contending that due to proposed amendment in the written statement the nature of the suit would be changed. Therefore, this application be rejected.

4. Heard the learned respective Advocates of both sides at length. On going through the overall record and submissions it clearly appears that the proposed amendment is of consequential nature. Therefore, for the sake of natural justice and for determining the controversy between the parties in conclusive

manner the proposed amendment in written statement needs to be allowed. Hence, I pass the following order.

ORDER

1. The application Exh.46 is hereby allowed and the defendant is hereby allowed to do the consequential amendment in his written statement as sought.
2. The defendant shall carry out the amendment in his written statement on or before next date of this suit and shall produce the copy of amended written statement on record on or before next date of this suit.
3. Costs in main cause.

Date : 14/02/2025.

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