

**ORDER BELOW EXH. 62**

(Passed on 00 th of June, 2019)

1. The defendant has sought amendment in written statement *vide* Order VI Rule 17 of the Code of Civil Procedure, 1908. It is claimed that grampanchayat house number in para 15 was wrongly mentioned as 439 instead of 438. It is claimed that it is due to typographical mistake. Rest of the proposed amendments are claimed to be consequential amendments.
2. The application is strongly opposed by the plaintiff on the ground that it is not tenable and it will cause serious prejudice to the plaintiff as the defendant is introducing a new case by way of proposed amendments. Accordingly, it is prayed that the application may be rejected.
3. Perused application, say and record. Heard both sides.
4. From perusal of the pleadings of the defendant in totality, there appears substance in the contention that mention of G.P. No. 439 is out of typographical mistake and the same needs to be corrected. No prejudice is likely to be caused to the plaintiff thereby.
5. As far as rest of the proposed amendments are concerned, the plaintiff has amended the plaint as per order passed below Exh. 46 and proposed amendments are consequential amendments after such amendments of plaintiff. The prayer such consequential amendments deserves to be allowed. Such opportunity is essential to decide the controversy between the parties at once on merits and to avoid multiplicity of litigations. No new case is likely to be introduced thereby and no prejudice is likely to be caused to the plaintiff thereby. Accordingly, following order is passed :

**ORDER**

1. Application (Exh. 62) is allowed as prayed for.
2. Defendant shall carry out proposed amendments in the W.S. and shall file copy of amended W.S. on or before next date.
3. Costs in the main cause.

(Typed and pronounced in open court)

Date : 01/07/2022.

(Nitin C. Pawar)  
Civil Judge Junior Division,  
Balapur.

I affirm that the contents of this P.D.F. File Judgment/Order are same, word to word, as per the original order.

Name of the Court	:-	Civil Judge, J.D. & J.M.F.C., Balapur
Name of the Stenographer	:-	Shaikh Rafique Shaikh Rasheed
Date of Decision	:-	01/07/2022
Judgment/Order signed by P.O on	:-	01/07/2022
Judgment/Order uploaded on	:-	01/07/2022