

Order Below Exh. 76 In R.C.S. 33 / 2013

Plaintiff moved present application under order 6 R 17 of CPC and prayed for amendment in amended plaint and affidavit of examination in chief by inserting correct area of Gut no.151 which was written wrong due to typing mistake.

Defendant filed say and submitted that already trial has been commenced and no provision to amend the affidavit of chief examination. Therefore, finally they prayed for rejection of present application.

Heard both Ld. Advocates. Perused record. It reveals that in amended plaint and affidavit of chief examination the area of Gut no.151 has been wrongly typed as 3 H 54 R instead of 7 H 8 R. Still cross examination of plaintiff is not started. Obviously said application deserved to be allowed to avoid further complication. However, the amendment cannot be carried in affidavit of chief examination. The plaintiff has liberty to file additional affidavit to that extent. Hence application liable to be partly allowed with cost. Hence, order.

ORDER

1. Application is partly allowed subject to cost Rs. 100/-
2. Plaintiff to carry amendment in amended plaint accordingly.

Sd/-

[V.G. Karmore]
C.J.J.D. Court No. 2
Vaijapur.

Date : 02.11.2018

CERTIFICATE

I affirm that the contents of this [P.D.F.](#) file order are same,

word to word, as per the original order.

Name of the Stenographer	:	G. R. Tehere
Court	:	2 nd Jt. CJJD Court, Vaijapur.
Date	:	02.11.2018
Order signed by the presiding officer on	:	02.11.2018
Order uploaded on	:	02.11.2018