

MHBU100008672022



R.C.S.No.68/2022

Ananta Vs. Umeshsingh

ORDER BELOW EXH.33

01. By this application the defendant is seeking amendment in the written Statement. Perused the application and say filed By the Plaintiff vide Exh No. 34. Heard Learned Counsels for the respective parties at length.

02. On perusal of record it is noticed that the plaintiff has filed the suit for the recovery of amount Rs 60000/- from the defendant. According to the defendant, certain portion in respect of limitation is not mentioned in written statement in inadvertently. Hence, instant application is being preferred.

03. The plaintiff vehemently appose submitted this application on the ground that the said application is not tenable. according to him, there is no such provision in Law and the present application is being moved with intend to prolong the matter. Thus, he prayed to reject the said application.

04. It is clear from the record that the plaintiff has filed the suit for recovery of money. The defendant filed the written statement vide Exh 12 on record. By way of

propose amendment the defendant has raised the issue of limitation. according to the defendant the said issue cannot be raised earlier and it was left inadvertently. On going through the record it is notice that the evidence of the plaintiff is already led by him. However, as the issue is related to the law of limitation and as proposed amendment does not change the nature of the suit in any manner, necessary amendment can be allowed. Moreover, in order adjudicate the suit on merit, proposed amendment is necessary. The Learned Counsel for the plaintiff does not show as to how the present application is not tenable in the eyes of law. Liberal approach is required to be taken into the consideration while deciding amendment application.

05. Considering the aforesaid reason, I hold that the proposed amendment is necessary in order to decide the suit effectively. Hence, I pass the following order.

O R D E R

1)	Application is hereby allowed.
2)	The defendant is directed to carry out amendment on or before next date of hearing.

Date : 11/03/2026.

(P S. Thakare)
Jt. Civil Judge (J.D.),
Malkapur.

CERTIFICATE

I affirm that the contents of this [P.D.F.](#) file order is same, word to word, as per the original order.

Court	J.M.F.C. Court No.1, Malkapur
Date	11/03/2026
Order signed by the presiding officer on	11/03/2026
Order uploaded on	12/03/2026