

MHBU150003752021

**ORDER BELOW EXHIBIT- 24**

This is an application filed by the plaintiff for amendment of plaint as per Order VI Rule 17 of the Code of Civil Procedure, 1908. (Hereinafter referred as Civil Code)

**02.** Perused the application and say filed by the defendants. Perused the record. I have heard learned advocate of both the parties.

**03.** The learned advocate for the plaintiff submitted that, in para No.1 of the plaint due to oversight of eye boundaries were not mentioned. Therefore, he wants to add the four boundaries of the suit property. The learned advocate for the plaintiff pointed that, if boundaries of suit property not mentioned then technical issue will arise in the suit. Therefore, he wants to amend the plaint. The learned advocate for the plaintiff urged that, no loss would be caused to the defendants if application is allowed. He also pointed that, this amendment will not change the nature of the suit. Hence, he prayed to allowed the application.

**04.** The learned advocate of the defendants argued that present application is maintainable in eye of law. He further urged that, no justified reason has been given by the plaintiff for filling the application after so much delay. He also pointed that, such type of application was filed by the defendants for amendment in written statement. However, that application was rejected. The proposed amendment will change nature of the suit. Hence, he prayed to reject the application.

**05.** The plaintiff filed this suit for permanent injunction. The plaintiff submitted that when he understand that the boundaries have not mentioned in the plaint. He immediatly filed this application for correction of the same. Correction of boundaries will not change the nature of the suit. Furthermore, as per order VI Rule 17 of the Civil Code, the Court may

at any stage of the proceedings allow either party to alter or amend his pleadings in such manner and on such terms as may be just, and all such amendments shall be made as may be necessary for the purpose of determining the real questions in controversy between the parties.

06. In the light of above said facts and discussion, for deciding the real controversy between the parties, it is necessary to amend the plaint. Furthermore, no loss would be caused to the defendants. The trial of the case yet to be commenced. However, it is necessary to compensate the defendants by imposing cost on the plaintiff. Hence, in view of order VI rule 17 of the Civil Code application needs to be allowed to promote ends of justice. Therefore, I pass following order.

**ORDER**

01. The application at Exhibit- 24 is allowed.
02. The plaintiff shall pay the cost of Rs. 300/- to the defendants on or before next date..
03. The plaintiff to carried out necessary amendment and produce the amended copy of plaint within 14 days from the date of order

Sd/-

Deulgaon Raja.  
Date : 04.05.2026.

**(Hasim M. Baig)**  
Joint C.J.J.D, Deulgaon Raja.

प्रमाणपत्र

वरील पी.डी.एफ फाईल मधील आदेश मुळ आदेशाप्रमाणे तंतोतंत बरोबर आहे.

०१. कनिष्ठ लिपीकाचे नाव:- के.ए. बोरोकार (कनिष्ठ लिपीक)
०२. न्यायालयाचे नाव:- सह दिवाणी न्यायालय क.स्तर, देऊळगांव राजा.
०२. अपलोड दिनांक:- ०४/०५/२०२६