

**MHCH100007132019**



**ORDER PASSED BELOW EXH.35 IN R.C.S. NO. 7/2019**

1. The present application is filed by the defendants under Order 6 Rule 17 of Civil Procedure Code, 1908, for consequential amendment in the written statement.

2. It is contended by the defendants that, the plaintiff has amended his plaint and for denying said facts he wants to amend his written statement. Hence, application be allowed. The plaintiff filed his say and prayed for rejection of the application.

4. Perused the application and record, heard both parties. Following points arise for determination, finding to which, with reasons are as follows:-

<b>POINTS</b>	<b>FINDING</b>
i] Whether the defendants are entitled to the consequential amendment as sought ?	<b>In the affirmative</b>
ii] What order ?	<b>As per final order.</b>

**REASONS**

**As to Point no.1:-**

5. By way of present application the defendants wants to add pleadings thereby denying the amended pleadings of the plaintiff. Therefore, there is no hurdle in allowing present

application as it is an consequential amendment. Hence, application deserves to be allowed and point no.1 is answered in affirmative and point no. 2 is answered as follows.

**ORDER**

- 1) Application Exh. 35 is hereby allowed.
- 2) The defendants are directed to carry out the consequential amendment within 14 days.
- 3) The defendants to supply copy of amended written statement.

Date: 30/09/2022.

**( Pankaj K.Ahir )  
Civil Judge, J.D.,  
Mul.**