

MHCH100007132019



R.C.S. NO. 7/2019

Mangala Vs. Bhaskar and others

ORDER PASSED BELOW EXH.43.

1. The present application is filed by the defendant Nos. 1, 2 and 4 under Order 6 Rule 17 of Civil Procedure Code, 1908, for consequential amendment in the written statement.

2. It is contended by the defendant Nos. 1, 2 and 4 that, the plaintiff has amended her plaint and for denying said facts they wants to amend their written statement. Hence, application be allowed. The plaintiff filed her 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:-

POINTS	FINDING
i] Whether the defendant Nos. 1, 2 and 4 are entitled to the consequential amendment as sought ?	In the affirmative
ii] What order ?	As per final order.

REASONS

As to Point no.1:-

5. By way of present application the defendant Nos. 1, 2 and 4 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. 43 is hereby allowed.
- 2) The defendant Nos. 1, 2 and 4 are directed to carry out the consequential amendment within 14 days.
- 3) The defendant Nos. 1, 2 and 4 to supply copy of amended written statement.

Date: 22/08/2024.

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