



Present application is filed by the plaintiff seeking permission to amend the plaint by impleading the daughters of her deceased husband as defendant nos.12 to 19 and by incorporating consequential pleadings.

2. It is contended by the plaintiff that the plaintiff has filed application for to implead the legal heirs of her husband, namely is daughters for the purpose of effecting mutation entries and to avoid future complications in execution of the decree. Plaintiff is a aged lady and illiterate and that the names of the daughters came to be her knowledge only after obtaining the relevant revenue record. After the death of plaintiffs husband his daughters have succeeded to his estate and their names are reflected in the revenue record. According to the plaintiff, their presence is necessary for complete and effective adjudication of the dispute and to avoid any technical objection at the stage of execution. Hence, prayed for the allow the application.

3. The defendants have filed their say at the backleaf of the application and opposed the application namely on the ground that plaintiff has deliberately filed the present application after an inordinate delay only with a view to prolong the proceedings. Therefore, according to them, the application deserves to be rejected.

4. Considering the nature of the application the proposed amendment is confined to bringing on record legal heirs of plaintiffs deceased husband on record and making consequential pleadings. The amendment neither change the nature and character of the suit nor introduces a new cause of action. The proposed parties are necessary parties for effective and complete adjudicate dispute. The settled principle governing amendments under Order 6 Rule 17 of C.P.C, is that amendments necessary for determining the real questions in controversy should ordinarily be allowed unless they cause serious prejudice to the other party or fundamentally alter the nature of the suit.

5. In the present case, the proposed parties claimed through the deceased husband plaintiff and their presence would facilitate complete adjudication of the rights involved. No irreparable prejudice would be cause to the existing defendants, as they have adequate opportunity to file additional written statement and contest the amended pleadings. Hence, the application deserves to be allowed.

ORDER

1. Application vide Exh. 277 is allowed.
2. The plaintiff is permitted to amend the plaint.
3. The plaintiff shall carried out amendment on or before next date.

Date :- 15/07/2026.

(Harshada S. Admane)
Jt. Civil Judge Jr. Division,
Shindkheda Dist. Dhule.

CERTIFICATE

I certify that the contents of this PDF file are word to word as per Original Order.

Name of the Stenographer: Sachin A. Pardeshi,
Name of the Court : Jt. Civil Court J. D., Shindkheda,
PDF Uploading date : 15/07/2026.

Sd/-xxx

Stenographer (Grade-III)