

MHGA040004912023



IN THE COURT OF CIVIL JUDGE (JUNIOR DIVISION),
ARMORI, DIST. GADCHIROLI
(Presided Over by Smt. Vaishali V. Choudhari)

R.C.S. No.16/2023
E-filing

Bank of Maharashtra, Armori,
Through Mahesh Mendhe ... **Plaintiff**

-Versus-

Akshay Maroti Kahalakar ... **Defendant**

Learned advocate for plaintiff : Shri. K.B. Chopkar

Learned advocate for defendant : Shri. V.R. Nimbekar

Order Below Exh.34
(Passed on 17th June, 2025)

This is an application vide Order VI Rule 17 of the Code of Civil Procedure, 1908 for amendment in the plaint. It is submitted that plaintiff has filed the suit for recovery of outstanding amount of Rs.2,15,093/-. It is submitted that while drafting the plaint some documentary facts could not be written. Therefore, the plaintiff wants to amend the plaint. It is further submitted that in prayer clause-I of the plaint the plaintiff wants to amend the amount and instead of Rs.2,15,093/- he wants to write amount Rs.2,47,593/-.

2] Called the say of defendant. Learned counsel for the defendant has given his no objection to the proposed amendment.

3] Read the application. Heard Ld. counsel for the plaintiff and defendant. Learned counsel for the plaintiff submitted that by typographical mistake the amount in prayer clause was mentioned as 2,15,093/-. The plaintiff wants to amend it as prayed. I have gone through the record. It is seen that as the defendant has not filed his written statement matter was proceeded without his written statement. The plaintiff has not lead his evidence as yet. On going through the plaint, instant application and the say of the defendant, I am of the view that if the application is allowed then no prejudice will be caused to the defendant and the nature of the suit will not change. Hence, I pass the following order.

Order

- 1] The application is allowed.
- 2] The plaintiff is permitted to amend the plaint as prayed in the application within 14 days from today and shall file amended copy of the plaint on record within the prescribed period.

Date :17.06.2025

(Smt. Vaishali V. Choudhari)
Civil Judge (Jr.Dn.), Armori