

RCS No.10/2018

Shamrao Vs Rupesh & Ors.

ORDER BELOW EXH.27

(passed on 13/08/2021)

1] This is an application filed by the defendants under Order 6 Rule 17 to make a consequential amendment in Written Statement. Peruse the application and say filed by the Ld adv for the plaintiff. Heard Ld adv for the defendants and Ld adv for the plaintiff.

2] It is the contention of the defendants that plaintiff made an amendment in plaint. Therefore, the defendants is required to file this application for consequential amendment in Written Statement in response to amendment made by the plaintiff in plaint. The propose amendment is necessary in view of the amendment effected by the plaintiff in plaint. Hence, defendants prayed for allowing the application.

3] Ld adv for the plaintiff strongly opposed the application and submitted that the application filed by the defendants is false and the contention made by the defendants in the application is not acceptable to the plaintiff. Hence, he prayed for rejecting the application with costs.

4] It is the matter of record that plaintiff carried out an amendment in the plaint. As a result the defendants filed this application. The propose amendment is necessary in view of amendment made by the plaintiff in the plaint. No prejudice would be caused to the plaintiff if proposed amendment is allowed. Even nature of the suit will not be change

by propose amendment. Therefore, it will be just and proper to allow this application. Hence, following order.

ORDER

1. Application is allowed.
2. Defendants are directed to carry out amendment in the Written Statement within a 14 days from the date of this order.

Date : 13/08/2021.

Sd/-
(N. D. Meshram)
Civil Judge (Jr. Dn),
Chamorshi.