

**ORDER BELOW EXH. 13**

1. The plaintiff moved present application under Order 6 Rule 17 of CPC and prayed for amending the plaint by rectifying the area of suit property. The defendant filed say and submitted that the present amendment is going to change the nature of suit, therefore he prayed for rejection of present application.

2. Perused record. Heard both Ld. Advocates. It reflects that this is suit for possession of encroached area. As per plaintiff the encroached area is 0.06 HR, however inadvertently he mentioned it as 0.02 HR. Therefore he wants to correct said mistake through present application. Still the defendant did not file his written statement. In such circumstances considering the nature of proposed amendment, it is not going to change the nature of suit nor going to affect the defendant adversely. Therefore the application deserves to be allowed with cost. Hence I pass following order.

**ORDER**

1. The application (Exh. 13) is allowed subject to cost of Rs. 100/-.
2. Plaintiff to carry amendment accordingly.

Place : Tirora  
Date : 29.01.2022

( V. G. Karmore )  
Civil Judge (Jr. Dn.), Tirora.