

Regular Civil Suit No.179/2017
Ravindra -Vs.- Subhash +4.

Order Below Exh.17

- 1) This is an application filed by plaintiff under Order 6 Rule 17 of Civil Procedure Code, for amendment in plaint. Read application and heard advocate for plaintiff. Say is not filed. Perused record.
- 2) According to plaintiff, in plaint gut no. of suit property is mentioned as 99 instead of 11. Inadvertently and due to typographical mistake incorrect gut no. is disclosed in plaint which needs to be corrected. By this application plaintiff wants to correct the gut no. of suit property. Nature of suit will not be changed by amendment. Hence, requested to allow the application.
- 3) Record shows that, suit is filed for declaration of ownership and for perpetual injunction. Plaint shows gut no. of suit property as 99. According to plaintiff gut no.99 is mentioned instead of 11. Application is remained unchallenged. At this stage merit of amendment cannot be looked into. Correct gut no. of suit property is essential for just decision of suit on merit. Nature of suit will not be changed. Trial is not commenced. Considering nature of amendment application deserves to be allowed. Hence, following order.

Order

1. Application is allowed.
2. Plaintiff is permitted to amend the plaint as prayed.
3. Plaintiff shall carry out amendment within 14 days from the date of order.

Bhokardan.
Dt.16.11.2018.

Sd/-xxx
(V.M. Mankhair)
Civil Judge, Jr.Dn.,
Bhokardan.