

Order below Exh. 53 R.C.S. No. 26/2011

Plaintiff moved this application under Order VI, Rule 17 of the Code of Civil Procedure, 1908 for amendment in plaint. By way of amendment plaintiff want to include one of the property as ancestral property. Plaintiff also want to make correction in the name of plaintiff No. 2 and in the age of plaintiff No. 1 and 2. Plaintiff also want to make correction in valuation of the suit property.

2) Defendant opposed the application on the ground of delay and prayed to reject the application.

3) Change in the name and age of the party is the subsequent development and not in the hands of the parties. The further prayer to add one of the property as ancestral property is also accepted as plaintiff filed this suit for the relief of partition and possession. In other words, proposed amendment is formal in nature. It is neither change the nature of the suit nor cause any prejudice to the defendant. Proposed amendment is also necessary for final adjudication. Hence, I proceed to pass the following order.

ORDER

- 1) Application is allowed subject to costs of Rs. 200/- payable to T.L.S.C. Ichalkaranji.
- 2) Plaintiff shall make necessary amendment and supply amended copy of plaint within 14 days from the date of this order.

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Date 23/11/2018
Ichalkaranji

(P. S. Bhandari)
5th Jt. Civil Judge Junior Division
Ichalkaranji

I affirm that the contents of this P.D.F. file Judgment/Order are same, word to word, as per the original Judgment/Order.

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| Name of stenographer | S. A. Patil |
| Name of Court | P. S. Bhandari 5 th Jt. Civil Judge, Jr. Dn. & Judicial Magistrate F.C. Ichalkarnaji. |
| Date of Dictation | 23/11/2018 |
| Judgment/order signed by P.O. on | 23/11/2018 |
| Judgment/order uploaded on | 23/11/2018 |