

MHKO050019432012 	Prafull Mahadev Jadhav Vs. Deepak Chandrakant Jadhav RCS No. 714/2012
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ORDER BELOW EXH.56

The present application is made by the plaintiff under O.VI R.17 for amendment in the plaint. The present application is made on 14/10/2024. Despite giving sufficient opportunity, the defendants failed to file their say till today. Hence, the application be decided without their say.

2. Perused the application and heard Ld. Advocate for the plaintiff.

3. Ld. Advocate for the plaintiff submitted that the present suit is instituted for declaration and perpetual injunction against the defendants. Although the property against which relief is claimed is already made suit property in the present suit, the defendants raised an objection of non joinder all necessary properties in the suit. He submitted that considering the objection, my Ld. Predecessor also frame such additional issue. Hence, the present application is made for inclusion of all other properties in the suit as a suit properties.

4. On perusal of the application, it appears that the application is made in the year 2024 and since then it is pending for say of the defendants. Perused the roznama. Neither the defendants nor their Ld. Advocate present before the Court and no say filed till today. The matter is pending for hearing. The plaintiff filed his evidence affidavit and thereafter additional issue was framed. The present suit is more than 10 years old. Considering the pendency, bona fide intention on the part of the plaintiff, the present

application may be allowed. As the defendants failed to file their say to the present application, if the proposed amendment is allowed, it will not cause prejudice to defendants. Hence, the following order is passed;

ORDER

- 1) The application at Exh.56 is allowed.
- 2) The plaintiff shall carry out the necessary amendments within 14 days from the date of this order.

Date: 10/04/2026.
Place: Ichalkaranji.

Sd/-
(M.S. Gawade)
5th Jt. Civil Judge Junior Division.,
Ichalkaranji.