

MHKO070002982021



ORDER BELOW EXH.56 IN REGULAR CIVIL SUIT NO.46/2021.

Likayat Salauddin Pathan.

V/s.

Imtiyaj Salauddin Pathan etc.

Plaintiff has moved the present application for amendment of plaint by taking recourse to Order 6 Rule 17 r/w. Section 151 of the Code of Civil Procedure, 1908 contending therein that, he has filed the present suit for declaration and injunction in respect of suit property and by way of proposed amendment wants to introduce some additional facts as mentioned in the application.

Application is opposed vide say below Exh.58 and according to defendants, proposed facts which plaintiff wants to introduce are after thought and application is filed to delay the proceeding only.

2. It appears from the record that, suit is in respect of declaration and injunction and proposed amendment appears to be explanatory of the original pleading and addition of some facts, which are not contrary to the pleading. Further, defendants have right to contravene the same and so in my opinion, proposed amendment needs to be allowed in the interest of justice. Consequently, following order.

ORDER

1. Application is allowed.
2. Permission granted for amendment as mentioned in the application.
3. Plaintiff to carry out amendment accordingly and file copy of amended plaint within 14 days.

(Y.H.S. Deshmukh)

Jaysingpur.

Date : 05/02/2026.

Civil Judge Senior Division,

Jaysingpur, Dist.Kolhapur.