

MHKO070023042023



**ORDER BELOW EXH.15 IN CIVIL
MISCELLANEOUS APPLICATION NO. 67/2023.**

Shri. Shemwel D. Tupe and anr.,

Vs.

Bapu M. Bhendawade dead through LR's and anr.

The present application is filed by the applicants under Order 6 Rule 17 and Section 151 of the Code of Civil Procedure, 1908, for amendment of the application. The non-applicants No.1.1 to 1.6 have filed their say (Exh.16) and objected the application.

2. Heard both sides. Perused the application, say and record. On perusal of the same, it appears that due to the typographical mistake the wrong numbers of execution petition and suits are mentioned in the application. Therefore, the alleged mistake is required to be rectified by way of amendment. In such circumstances, if the proposed amendment is allowed, no prejudice will be caused to the non-applicants. It appears that the proposed amendment is technical and formal in nature. If the proposed amendment is allowed the nature of the application will not be changed. Hence, it is legal and proper to permit the applicants to carry out the proposed amendment in the application. Therefore, the application deserves to be allowed. In the result, I pass following order.

ORDER

- (1) The application (Exh.15) is allowed subject to cost of Rs.300/- (Three Hundred Only) to be paid to the non-applicants No.1.1 to 1.6.
- (2) The applicants are permitted to carry out the amendment as prayed within the period of 14 days and shall file the copy of amended application.

Date : 21.01.2026.

(P. A. Patil)
Jt. Civil Judge Senior Division,
Jaysingpur.