

Reg. Civil Suite No.7/2012

Order below exhibit 44.

1. This is an application filed by the plaintiff under Order 6 Rule 17 of CPC for amendment of plaint. Perused the application and say at exhibit 45. Heard both sides.
2. The suit is for perpetual injunction restraining defendant from causing obstruction in plaintiff's possession in the suit property. In the proposed amendment plaintiff seeks permission to add material particulars about the theory of adoption earlier taken in the para No.2 and 3 of the plaint.
3. The defendant has strongly opposed the application and submitted that, the proposed amendment is not necessary for determining the real question in controversy between the parties. The amendment will change the nature of suit. Hence, the defendant submitted that, the application be rejected.
4. On going through the application for amendment, in the light of averments in the plaint, it is seen that, the amendment sought is bona-fide and it will not change the nature of claim. Thus, the application deserves to be allowed. In result the following order is passed.

ORDER

1. The application is allowed subject to cost of Rs.500/-.
2. The plaintiff is allowed to amend his plaint within 14 days from the date of this order.

Date: 26/10/2015.
Kagal.

Sd/-
(G. D. Nirmale)
Civil Judge Jr. Division, Kagal.

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

Name of the Stenographer	S. S. Gorwade
Name of the Court	Civil Judge Jr. Division, Kagal.
Date of Dictation	26/10/2015.
Judgment signed by the P.O. on	26/10/2015
Judgment uploaded on	18/11/2015