



Asha Patil Vs. Kundalik Patil etc. 4

**CNR - MHKO130003212020**

**ORDER PASSED BELOW EXH.29 IN R.C.S.No. 42/2020**

1. This application is filed by plaintiff to amend the plaint under Order 6 Rule 17 of Code of Civil Procedure.
2. According to plaintiff, this suit is filed for maintenance. Accordingly, plaintiff has prayed certain amendment stated in the application which are required to be carried out for the interest of justice. It is submitted that, defendant no. 2 died on 30/01/2023. Further, LR's of defendant no. 2 are already added in this suit as defendant no. 1, 3, 4 & 5. Hence, they prayed with permission to add 'Dead' word after the name defendant no. 2 in the suit. According to plaintiff, this will not cause prejudice to the defendants. Hence, prayed to allow the application.
3. Defendants failed to file say to this application.
4. I have perused the record. Heard the learned advocate for plaintiff.
5. Considering, amendment stated in the application, those are found just and proper, by such application, no prejudice will be caused to the defendants. Further, the amendment are in respect to clerical and post consequential in nature, that will not change the nature of suit. For proof of same the plaintiff filed her affidavit at Exh. 30. In the result, application is allowed. Plaintiff is permitted to carry out the necessary amendment as stated in the application. Plaintiff shall filed amended plaint within stipulated time. No order as to costs.

Kagal.  
Date:- 18/10/2023.

**(B. D. Gore)**  
Civil Judge Junior Division,  
Kagal.