



**Sarpanch Grampanchayat, Hanbarwadi Vs.
Pandurang Mallavva Kengar etc.03**

CNR - MHKO130003622024

ORDER BELOW EXH. 31 IN R.C.S.No. 60/2024

1. The present application is filed by the Defendant vide Order 6 Rule 17 of the Code of Civil Procedure for amendment in the Written Statement on the ground that at the time of filing of Written Statement some documents were not available to them and therefore the proposed amendment could not be mentioned in the Written Statement.
2. By way of proposed amendment the Defendants want to add paragraph No. 12-A wherein the averment with respect to Sale of suit property by original owner Shrimant. Kshatra Jagatguru to the mother of present Defendant needs to be added.
3. The Plaintiff vide their Say overleaf the application submitted that the proposed amendment is an afterthought and therefore it will change the nature of suit and therefore the application be rejected.
4. Head learned counsel for both the sides. Perused the record. The Plaintiff Gram Panchayat Hanbarwadi has filed the suit for perpetual injunction and possession against the Defendants. The record reveals that trial of the suit is yet to be commenced. The proposed amendment is necessary to decide the real controversy between the parties. The proposed amendment will only help the Court to come to a just conclusion and will avoid the multiplicity of proceedings. In such circumstances the application deserves to be allowed. Accordingly I

pass following order.

ORDER

1. Application is allowed.
2. Defendant is permitted to amend the Written Statement as prayed in the application.
3. Defendant to carry out amendment and supply amended copy of Written Statement within statutory period.

Kagal
Date:- 30/03/2026

(A.B.Madke)
Civil Judge Junior Division,
Kagal.