

Order below Exh.77 in Regular Civil Suit No.45/2009.

This is an application moved by the plaintiffs under Order 6 Rule 17 of the Code of Civil Procedure for amendment of plaint.

- 2) Heard learned advocate Shri. S.S. Kot advocate for the plaintiffs and Shri. R.Y. Dalavi advocate for the the defendants. Perused the application.
- 3) By way of this application, plaintiffs wants to delete suit property bearing R.S.No.36/12 and 39/8 mentioned at Sr.No.9 and 10 in Schedule "A". According to plaintiffs, these properties are not partiable. Hence, they wants to delete these properties.
- 4) By way of this applications, plaintiffs further wants to correct the typographical mistake occurred while typing the area of Gat No.491 i.e. of 00.33 and substitute as 00.03.3-R. Hence, the application.
- 5) Defendants have not objected to allow the application. Admittedly, by way of this application, plaintiffs wants to delete only those properties which according to them are not partiable and wants to correct the typographical grounds. Hence, in my considered view, if application is allowed, no prejudice or harm would be caused to the defendants. On the contrary, it will be helpful to determine the real controversy between the parties. Hence, I hold that application deserves to be allowed. Hence, I proceed to pass the following order.

Order

- 1) Application is allowed.
- 2) Plaintiffs are permitted to carry out the amendment as prayed and file copy of amended plaint on or before next date.
- 3) Failure to comply the order on or before next date, application shall be deemed to be rejected.

Dated:- 11/05/2017.

Sd/-
(M. D. Thombare)
Civil Judge, Jr. Dn., Chandgad.

CERTIFICATE

I affirm that the contents of this P. D. F. file Judgment/Order is same, word to word, as per the original Judgment/Order.

Name of the Stenographer	Shri. V. L. Tadkod, L. G. Stenographer.
Name of Court	Shri. M.D. Thombare, Civil Judge, Junior Division and Judicial Magistrate, First Class, Chandgad.
Date of Dictation	11/05/2017
Judgment/Order signed by the P. O. on	11/05/2017
Judgment/Order uploaded on	11/05/2017