

**ORDER BELOW EXH. 130 IN R.C.S. No.24/2006****Adam Mahmud Shah****Vs.****Jahidabai Mahamud Fakir @ Makandar.**

This is a suit for declaration and permanent injunction. By application filed at Exh.130, vide Order VI, Rule 18, plaintiffs have prayed to grant permission to carry out the amendment as per order below Exh.101. Defendant filed their say at the overleaf of application and strongly objected the application.

2. Heard, both the sides. I, have gone through the record and relevant provision of the Code.

3. It is a matter of record that, plaintiffs are permitted to carry out the amendment as per order below Exh.101 dtd.02/02/2023. In view of Order VI, Rule 18 plaintiff has to carry out amendment within the 14 days since the date of order. However, he failed to carry out amendment within the time prescribed by law. The provision under Order VI, Rule 18 is directory. If application is rejected hardship will cause to the plaintiff. Thus, to decide the matter on merit application deserves to be allowed. Hence, following order.

ORDER

Application is allowed.

The plaintiffs are permitted to carry out amendment as per order below Exh.101 dtd.02/02/2023 without delay.

The plaintiffs to carry out necessary amendment and also to file amended copy of the plaint and also to file a copy of the amended plaint for preparation of decree.

Parties to note.

Date : 14/09/2023.

(C.U. Shipkule)
Civil Judge, Jr.Dn., Chandgad.