

**Order below Exh.93 in Regular Civil Suit No. 103/2007.**

This is an application moved by the defendant No.1, 3 to 5 and 10 under Order 6 Rule 17 of the Code of Civil Procedure for amendment of written statement.

2) Heard learned advocate Shri.VR. Patil for the defendant No.1, 3 to 5 and 10 and learned advocate Shri. S.S. Kot for the plaintiffs. Perused the application and say.

3) The defendants contended that they have filed their written statement vide Exh.34. But there are certain clerical mistakes with respect to the nomenclature of the names of plaintiff and defendants. Hence, by way of this application, they want to correct the said clerical mistake. Hence, the application.

4) The learned advocate for the plaintiffs submitted that this application is filed at belated stage. The matter is part heard since last year. Hence, application is liable to be rejected.

5) The perusal of application revealed that by way of this application, defendants want to correct the nomenclature of the names of plaintiff and defendants in para No.14 line No.1 as “defendant No.3 to 7” instead of “plaintiff No.3 to 7” and in para No.15 line No.4 as “defendant No.1” instead of “plaintiff No.1”. Hence, it appears that there is clerical mistake. Hence, if the application is allowed, then nature of suit will not be changed.

5) It is true that defendants have sought the amendment at belated stage. Hence, defendants have to compensate for the delay caused. Hence, application deserves to be allowed by imposing costs. Therefore, I proceed to pass the following order.

O r d e r

1) Application is allowed subject to payment of costs of Rs.200/- (Rupees two hundred only) to the plaintiffs on today itself.

2) After compliance of above clause, defendants are permitted to carry out the amendment in their written statement as prayed.

Dated:- 17/10/2016.

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

## C E R T I F I C A T E

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. Tatkod, L. G. Stenographer.
Name of Court	Shri. M.D. Thombare, Civil Judge, Junior Division and Judicial Magistrate, First Class, Chandgad.
Date of Dictation	17/10/16
Judgment/Order signed by the P. O. on	17/10/16
Judgment/Order uploaded on	17/10/16