

R.C.S. No. 13/2019 ORDER BELOW-20

MHKO160000602019



R.C.S. No. 13/2019

ORDER BELOW-20

- 1.** This is application under Order VI Rule 17 of the Civil Procedure for amendment in plaint.
- 2.** In short, the plaintiff states that suit is filed for declaration and permanent injunction. The suit summons to defendant Nos. 16 and 17 came unserved because after marriage their names have been changed. Therefore plaintiff wants to insert names of defendant Nos. 16 and 17 after their marriages. Therefore plaintiff prayed to allow the application.
- 3.** Defendants filed their say stating that the nature of suit is going to be changed. The contents of the application are false. They prayed to reject the application. If application is allowed then heavy cost be saddled on the plaintiff.
- 4.** After hearing L. Advocates of both parties, this court finds that the amendment is necessary to decide the real issue between the parties. The nature of suit is not going to be changed by the proposed amendment. No prejudice would be caused the defendants. The defendant shall have a right to filed additional

R.C.S. No. 13/2019 ORDER BELOW-20

written statement. This court finds that the application needs to be allowed in the interest of justice. Hence following order.

ORDER

1. The amendment application is allowed.
2. The plaintiff is allowed to amend his
plaint within 14 days on payment of cost of
Rs.500/- to other side.

Date : 30/06/2022

(Amol Shriram Shinde)

Civil Judge, Jr. Division

Malakapur-Shahuwadi.