

MHKO180007982022

**R.C.S.NO.195/2022****Rekha Shinde V/ Aananda and others.****CNR NO. MHKO180007982022**

**ORDER BELOW EXH – 43.**  
(Passed on 11 th October, 2023)

1. This is an application filed by plaintiffs u/o VI rule 17 of the Code of Civil Procedure for amendment in the plaint. It is contended that, due to oversight and typographical mistake R.C.S. No.76/2003 is mentioned in the plaint. But R.C.S. No.73/2003 is required to be mentioned in the plaint. The said amendment is formal and if the same is allowed nature of the suit will not be changed. Hence they have requested to grant this application.
2. The defendants have filed their say and requested to pass appropriate order.
3. Heard both side, perused record and proceeding. It shows R.C.S. No.73/2003 is mentioned in the plaint. But in the prayer clause para No.11(C ) R.C.S. No.76/2003 is mentioned by the plaintiffs. It shows that present suit is filed for partition, declaration and perpetual injunction. If the proposed amendment is allowed nature of the suit will not be changed. Moreover no loss will be caused to the defendants if the proposed amendment is allowed. Hence I proceed to pass following order-

**ORDER**

- 1] Application is allowed.

2] The plaintiffs shall carry out necessary amendment in the plaint on or before next date and shall file necessary copies of amended plaint.

Kurundwad

Dt. 11/10/2023

( **S.S.Ingle** )  
Civil Judge Junior Division,  
Kurundwad.