


<p>MHKO190004572016</p>  <p>-</p>	<p><b><u>ORDER BELOW EXH.62</u></b></p> <p><b><u>IN</u></b></p> <p><b><u>R.C.S. No. 105/2016</u></b></p> <p><b>(Rohini Rangrao Khot Vs Kai. Vitthal Gopal Patil etc. 8)</b></p> <p><b>(DATE: 28/10/2025)</b></p>
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This is an application filed by the plaintiff seeking for amendment in plaint under Order VI Rule 17 of Code of Civil Procedure (in-short C.P.C.).

2. Ld. Advocate for the plaintiff argued that the defendants, vide their written statement, have mention that block no. 949,952 and 1188, being joint family properties are not made subject matter of the suit. Hence he has filed the present application to amend the plaint accordingly. He submitted that the proposed amendments would help to avoid multiplicity of the proceedings. Hence, he prayed to allow the application.

3. Defendants vide their say (Exh.65) have submitted that the contents of the application are false. The application is not tenable. The application is filed after long delay. It is filed with intention to prolong the matter. The plaintiff has sold his share in block no.949,952 and 1188 in the year 2004 thus the proposed amendments, being false, are liable to be rejected. Further he has submitted that on 13/02/2024 the court has framed issues at Exh.59. Hence he prayed to reject the application.

4. Perused the record. Heard Ld. Advocate for both the parties. Considered the submissions.

5. The amendments sought would not change the nature of the suit. The proposed amendments are merely to add certain properties to the suit. The defendants have objected that the plaintiff has sold out his share from those properties. However, it is the question to be decided at the time of trial. Though the issues are framed, the plaintiff has not yet filed affidavit in lieu of chief examination. Therefore, the trial has not yet commenced. Further, the proposed amendments would not prejudice the defendants. Hence, the application deserves to be allowed. Hence, the following order :

**ORDER**

1.	Application (Exh.62) is allowed.
2.	The plaintiffs shall carry out the proposed amendments in the plaint on or before next date.
3.	No order as to costs.

sd/-

Radhanagari

(N. P. Kakade)

Date: 28-10-2025

Jt. Civil Judge Junior Division,  
Radhanagari.