

MHLA050010022017



Special Civil Suit No. 9/2017  
Gangadhar & oths. Vs. Sambhaji & oths.

**Order below Exhibit 319.**

The plaintiffs have filed this application to make correction in the answer of question No.22 in notice of admission of case on Exhibit-174.

2) The defendants have given say on this application and they have taken strong objection that this application for correction is given after cross examination of plaintiff No.1 has commenced.

3) Heard both sides at the length. It is contention and arguments of the plaintiffs that on Exhibit-165 the defendants had given notice of admission of case to the plaintiffs and the plaintiffs have given the answers at Exhibit-174. In the answer to question No.22, year 1988 is wrongly type written inadvertantly instead of year 1993. That correction needs to be done, because it is contention of the plaintiffs in the plaint that oral partition was taken place in the year 1993.

4) Advocate for the plaintiffs referred Section 153 of the Code of Civil Procedure and submitted that correction can be done. The defendants had given notice of admission of case at Exhibit-165 as per Order-12 of Code of Civil Procedure. The plaintiffs have provided answers to them at Exhibit-174. The answers to notice of admission of case can not be correct under Section 153 of the Code

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of Civil Procedure. Therefore this application is liable for rejection.

In the result, I pass the following order :

ORDER

The application is rejected.

Date :- 21/03/2022.

( P. A. Savadikar )  
Civil Judge S. D. Ahmedpur  
District Latur.