


MHLA150009932017 	<u>ORDER BELOW EXH.128.</u>
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This application is filed by the plaintiff for under order 6 rule 17 of C.P.C.

2. It is submitted that, during the pendency of suit defendant no.10,15,28,27,31 have transferred the suit land in favour of Rajesh Bhagwandas Sarda, Anuradha Abhijeet Kakani, Vaishali Rajesh Sarda, Harshit Nilesh Thakkar. So plaintiff wants to amend the plaint as para no.15/A and also plaintiff wants to amend in prayer clause after the para no.1 as para no.A/1, as prayed. By amendment the nature of suit, relief and cause of action do not change. To avoid the multiplicity of litigation and in the interest of justice the proposed amendment is necessary. Hence, application be allowed as prayed.

3. Say not filed by the other side therefore application is proceeded without say.

4. Perused the record. The suit is filed for partition and separate possession. In order to avoid multiplicity of proceeding it is require to amend in the plaint with respect to proposed defendant no. 10,15,28,27,31 in the present matter. Application is supported by affidavit of plaintiff

Habib Imamsab @ Immakhan Pathan. No prejudiced will be caused to the proposed defendant no.10,15,28,27,31, if application is allowed. Under such circumstance, application deserves to be allowed. Hence, following order is passed.

ORDER

1.	Application [Exh.128] is allowed.
2.	Plaintiff is directed to amend the plaint, as para no.15/A and in prayer clause of plaint, after the para no.1 as Para no.A/1 in the plaint, as prayed.
3	Plaintiff shall carry out the amendment within 14 days from the date of order.

Date : 09.01.2026.

(**V. S. Waghmode**)
Civil Judge J. D. Chakur

CERTIFICATE

I affirm that the contents of this P.D.F. file judgment are same, word to word, as per original judgment.

Name of the stenographer	:	M. B. Pathan
Name of the Court	:	Civil Judge J.D. & J.M.F.C, Chakur.
Date of Order/ Judgment	:	09/01/2026
Order/Judgment signed by Presiding Officer on	:	09/01/2026
Order/Judgment uploaded on	:	09/01/2026