

:: Order below Exh.15 in Reg. Civil Suit No.40/2019 ::
(Sanjiv ..Vs..Laxman & Ors.)

01. This is an application by the plaintiff under Order-VI, Rule-17 of the Code of Civil Procedure, for amendment in the plaint. As per the plaintiff, due to mis-information some material portion was remained to be added in the plaint with regard to disputed well and further adding the heirs of deceased Vishwanth. Application is opposed by the defendants by filing say at Exh.29. As per the defendants, the proposed amendment will change nature of suit. Hence, prayed to reject the application.

02. Perused record. The suit relates to disputed well and the plaintiff claimed declaration of ownership over said well. By way of proposed amendment, the plaintiff is claiming joint ownership over said well and further wants to add the sisters of defendant Nos.1 to 3. The amendments to the pleadings are to be allowed for determining real dispute between the parties. The proposed amendment relates to disputed well. Therefore, same requires to be brought on record. Further, by adding the sisters of defendants in the suit, would help to decide the dispute properly. The proposed amendment would not change nature of suit in any manner. Hence, application required to be allowed with cost payable to the defendants. Accordingly, following order is passed :

:: O r d e r ::

- 1) Application is allowed subject to cost of Rs.1,000/- (Rs. One thousand only) payable to the defendants.

- 2) Plaintiff to carry out amendment within fourteen days from today.

Date : 25/02/2022.

(U. B. Kalapagar)
Civil Judge Junior Division,
Deoni.

:: Certificate ::

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

Name of the Stenographer	M.Y. Wadiwale.
Name of the Court	Shri.U.B.Kalapagar, Civil Judge Jr. Division, Deoni.
Date of Dictation	25/02/2022
Order signed by the P.O. on	25/02/2022
Order uploaded on	25/02/2022