

CNR No. MHND240009752022 	RCS No. 173/2022 Sushilabai Vs. Balaji & oths.
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ORDER PASSED BELOW EXH. 25
(Decided on 12/09/2024)

1. The present application is filed by the plaintiff for amendment in the plaint under Order VI Rule 17 of C.P.C. stating therein that the plaintiff has applied for amendment for the additional legal heirs of the Sheshabai as defendants in the present suit. The court has allowed the said application. Hence, he wants to amend the plaint and prayed to file an amended plaint. The learned advocate of the defendants has not filed their say and not taken objection.

2. On perusal of records of the case, it appears that the plaintiff has filed a present suit for partition, ownership and perpetual injunction. Thereafter, the plaintiff applied to carry out the necessary amendment at Exh 23 for the additional legal heirs of the Sheshabai as defendants in the present suit. The court has allowed the said application. By filing this application he wants to amend the plaint as per the order passed on Exh. 23. The court has already given directions for the same. There is no prayer of amendment of new pleading in the plaint. Therefore, there was no need to file a present application. The plaintiffs can comply with the order as per said order. Hence, it is not necessary to give permission, when already prayed was allowed. The order passed below Exh. 23 will suffice purpose for this application. Considering

all I pass the following order:

ORDER

Application Exh. 25 is filed only.

Sd/-

(Rajesh M. Lolge)

Date : 12/09/2024

Joint Civil Judge J. D. Naigaon Bz