

MHNG010054282011



BEFORE THE PRINCIPAL DISTRICT JUDGE, NAGPUR

[Presided over by Shri S.B. Agrawal]

Reg. Civil Appeal No. 326 of 2011

Lala Amarnath Khanuja .. Appellant

..Versus..

Sundarsingh S/o Bentsingh Hoda & another .. Respondents

**[APPLICATION UNDER ORDER VI RULE 17 R/W SECTION 151 OF C.P.C.
FOR AMENDMENT OF WRITTEN STATEMENT]**

Order below Exh. 65

[Passed on this 29th day of August 2022]

Appellant/tenant suffering a decree on the ground of bona fide requirement seeks to amend written statement contending *inter alia* that during pendency of the appeal, respondent/landlord, in execution has got possession from another tenant on the ground of arrears of rent and that his contention in that suit regarding *bona fide* requirement was negated. Although apart from that it has been contended that three rooms occupied by the landlord are kept vacant, but the application is silent why this fact was not pleaded earlier. The former two aspects could have a bearing on the appeal, however, the certified copies of the judgment and execution proceedings can be produced before this court in accordance with law by giving notice to admit to the landlord.

[2]

2] In such circumstances, at such belated stage, I do not find it necessary to allow amendment of written statement. More so, when even otherwise the purpose of the appellant can be served without further protracting the matter. With this observation, application Exh. 65 stands disposed of.

Nagpur.
Date : 29/08/2022

[S. B. Agrawal]
Principal District Judge,
Nagpur.

Case argued on	:	29/08/2022
Order dictated on	:	29/08/2022
Transcription ready on	:	29/08/2022
Order checked and signed on	:	29/08/2022

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CERTIFICATE

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

Name of Stenographer : A.W. Sangle