

COMMON ORDER BELOW EXH.66 & 67

(Passed on dated 05th October, 2017)

1] The defendant no.1 to 4 and 6 have filed present applications for consequential amendment in their written statement. According to them, the plaintiff has replaced para 3 and 4 of plaint by way of amendment, and therefore, to deny the contents of proposed amendment, they want to amend their written statement by way of proposed consequential amendment.

2] Heard learned counsel for both parties. The plaintiff has filed present suit for partition, separate possession and recovery of mense profit in respect of suit property. She has amended her plaint and placed on record amended copy of the plaint by amending para no.3 and 4. The defendant no.1 to 4 have filed their written statement vide Exh.14 and defendant no.6 has filed his written statement vide Exh.43. In the proposed amendment, the defendants have denied the contents of proposed amendment made by plaintiff. There is nothing new introduced in the proposed amendment nor prejudice would be caused to the plaintiff. In fact, it would help to determine the real question of controversy between the parties, and therefore, considering nature of proposed consequential amendment applications deserves to be allowed and pass the following order.

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R.C.S.No.145/2012
Rekha -Vs- Shalu

ORDER

- 1] Both applications Exh.66 and 67 are hereby allowed.
- 2] The defendants to carryout the necessary amendment within the statutory limitation on or before next date.
- 3] Applications are accordingly disposed off.

Katol
Dated: 05/10/2017.

(Madhuri R. Khanwe)
Civil Judge Junior Division,
Katol.

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R.C.S.No.145/2012
Rekha -Vs- Shalu

C E R T I F I C A T E

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

A.P. Dharmik
Stenographer (Lr.Gr.)