

**IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, RAMTEK.**

M.J.C.No. 5/2023  
Chandrabhaga Alokibai Janrao  
Khangar,  
..Vs..  
Baynabai Santosh Khandate

**ORDER BELOW EXH.80**

(Passed on 18.03.2025)

The applicant has filed the present application for the amendment under Order 6 Rule 17 of Code of Civil Procedure. Ld. Advocate of applicant has submitted that, present non-applicants are legal heirs of deceased Santosh Khandate as revealed from the voter list and Ration Card. Ld. Advocate for the applicant has further submitted that, recently applicant got knowledge about the ration card and voter list, therefore, applicant wants to add this fact in the present petition as it is material in order to decide present heirship application.

2. The respondents have filed their reply below Exh. 83, stating that proposed facts were already within the knowledge of applicant as they were having custody of proposed documents. Moreover proposed documents are already on record. Therefore, there is no necessary to amend the petition. Therefore, the present application is liable to be rejected.

3. Heard both sides. It needs to mention here that, the present petition is for deciding the fact that who is legal heir of deceased Antu. In the instant case, both the parties are claiming to be legal heirs of deceased Antu. On this background also, proposed amendment is necessary.

4. The proposed amendment is necessary in order to decide

present petition as it is relating to point of legal heirs. If, proposed amendment is allowed, no prejudice would be caused to the non-applicants. Thus, present application is required to be allowed. Hence, I proceed to pass following order-

**ORDER**

1. Application is allowed.
2. Applicant is directed to carry out necessary amendment in the petition and file amended copy of petition.

Ramtek.  
Date :18/03/2025

[ S.M. Sarode ]  
Civil Judge Senior Division,  
Ramtek.