

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

Reg.C.S. 81/2023

Ismail Shaikh vs Collector

**ORDER BELOW EXH. 32**

(Passed on 13<sup>th</sup> day of February, 2024)

The plaintiffs have filed an application under Order 6 Rule 17 of the Code of Civil Procedure for amendment of the plaint. Ld. Advocate of plaintiffs has submitted that they need to add additional pleadings regarding suit property and relevant provisions of the Act in the plaint.

2. On the other hand, defendants have put their strong objection on the ground that proposed amendment is withdrawal of earlier admissions and seeking time-barred declaration, therefore, it be rejected.

3. Heard both sides. It is required to mention here that it is settled position of law that while granting amendment Court needs to be liberal. In the instant case, plaintiffs are seeking permission to make additional pleadings in respect of suit property and relevant Act. While considering nature of proposed amendment, in my opinion, proposed amendment is purely technical. If proposed amendment is allowed, nature of suit will not be changed and no prejudice would be caused to the defendants. Thus, present application is required to be allowed. Hence, I proceed to pass following order-

**ORDER**

1. Application is allowed.
2. The plaintiffs are directed to carry out necessary amendment in the plaint and file amended copy of the plaint on record.

Ramtek.

Date : 13.02.2024

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