

IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, RAMTEK.

Spl.C.S. 134/2023

Champa and ors. vs. Shalikram and ors.

ORDER BELOW EXH. 63

(Passed on 4th day of October, 2024)

The plaintiff has filed an application for an amendment under Order-6 Rule-17 of Code of Civil Procedure. Ld. Advocate of plaintiff has submitted that during pendency of suit, defendant No. 2 and 7 have transferred portion of suit property in favour of defendant no.9 and 10 by way of gift deed and registered sale-deed respectively. However, both these documents are illegal and null & void, therefore, plaintiff wants to add amendment to that effect therefore, permission may be granted to add these pleadings in the plaint.

2. On the other hand, defendants have filed their say below Exh.64 and prayed for rejection of the application on the ground that, nature of suit will be changed if proposed amendment is allowed.

3. Heard both the sides. I must mention here that the proposed amendment is subsequent development after filing of the suit. If proposed amendment is allowed, nature of the suit will not be changed. The proposed amendment is nothing but the detailing of necessary facts regarding gift-deed and sale-deed and relevant prayers. Hence, proposed amendment is required to be allowed. Hence, I proceed to pass following order-

ORDER

1. Application is allowed.
2. Plaintiffs are directed to carry out necessary amendment in plaint, and file amended copy of plaint.

Ramtek.
Date : 04.10.2024

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