

IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, RAMTEK.

Spl.C.S. 134/2023

Champa Wasnik Vs. Shalikram

ORDER BELOW EXH.84

(Passed on 1st day of January, 2026)

The plaintiffs have filed an application under Order 6 Rule 17 of the Code of Civil Procedure for amendment in the plaint. Ld. Advocate of plaintiffs has submitted that during pendency of suit, defendant no. 1 has executed registered sale-deed in favour of defendant no.11 vide document No. 475/2025 dated 24/02/2025 registered in the office of Joint Sub-registrar Parseoni, therefore, these facts needs to be pleaded in the plaint and necessary relief is required to be added in the plaint. Therefore, permission may be granted to amend the plaint.

2. On the other hand, defendants have filed their reply below Exh.86 and opposed the application.

3. Heard both sides. It is required to note here that present suit is for declaration, partition and separate possession and cancellation of sale-deed. The proposed amendment is subsequent act or development after filing of suit. Therefore, proposed amendment is required to be allowed. Moreover, in my opinion, 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 plaintiff is directed to carry out necessary amendment in the plaint and application for temporary injunction and file amended copies of plaint and temporary injunction on record.

Ramtek.
Date : 01.01.2026

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