

MHNS190015412024



R.C.S./344/2024

Laxman Mulidhar Gaikawad

Vs.

Shri Sadhguru Umakant

Maharaj Khedeshwar

ORDER BELOW EXH. NO.17

This is an application for amendment in the pleading moved by the plaintiffs vide Order 6 Rule 17 of the Civil Procedure Code.

2. This suit is filed for declaration and injunction. As per contention of the plaintiff, he wanted to add subsequent purchasers as defendant. Also, in plaint para No. 10-B he wanted to correct 121/1/A as to 121/1/A/1 and to that effect by way of insertion of new paragraph and insertion of additional relief has been sought.

3. The proposed defendants opposed the application by contending on the ground that, the amendment application is not legal and based upon legal and proper grounds. Therefore, the defendants prayed for rejection of the application.

4. Heard both sides. Perused the records.

5. Following points are arisen for my consideration. I have recorded my findings with reasons there on.

Sr. No.	Points	Findings
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1	Whether the proposed amendment is necessary for just decision of the suit?	In the affirmative.
2	What order and relief?	Application is allowed.

REASONS

As to point No. 1 and 2:-

6. It appears that, by way of this amendment application, plaintiff wants to add subsequent purchasers as party defendants in this suit. The proposed amendment is based upon subsequent events. The amendment is not going to change nature of the suit. It is the case that application is moved with malafied intention. The suit is at preliminary stage. Hence, I pass the following order;

ORDER

1. The amendment application Exh.17 is allowed subject to costs of Rs.200/-(Rs. Two Hundred Only) to be paid to the defendants.
2. The plaintiffs directed to carry out amendments as sought within 14 days from the date of this order.

(Dictated and pronounced in open Court)

Date : 31.01.2026

(Jahangir R. Pathan)
2nd Jt. Civil Judge, J.D., Yeola,
Dist. Nashik.