



COMMERCIAL SUIT No. 45/2022
CNR No.: MHPU01-016314-2022
[Dynamic Realty Ventures
Vs. M/s.Vendant Landmarks & ors.]

ORDER BELOW EXH. 51

This is an application on behalf of plaintiff, under Order 6 Rule 17 of C.P.C. for correction of clerical mistake, which was occurred erroneously while filing application below Exh. 44, for amendment in plaint. By mistake in said application, it was mentioned that prayer clause “b” be deleted. However, it appears that, the plaintiff still maintains said relief clause “d” and therefore, present application is filed for correction of said mistake by way of amendment, particularly, on 05.04.2023.

2. Since defendants did not file say, therefore, application is proceeded without say of defendants, as per order below Exh. 65 dated 21.06.2023. Today, application for adjournment on behalf of defendants is came to be rejected as matter is fixed for argument on this application, to which no say has been filed by the defendants.

3. Since the amendment sought is based on clerical mistake while pressing application below Exh. 44 into service. It is a matter of record that, defendants have contested the suit and also contested prayer clause “d”, which is being amended. If application is allowed,

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then there would be no prejudice to the rights of defendants. Hence,
following order :

ORDER

1. Application Exh. 51 is allowed.
2. Amendment be carry out accordinly.

Date : 13/07/2023

Sd/-xxx
(Sunil G. Vedpathak)
District Judge – 2, Pune.

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CERTIFICATE

I affirm that the contents of this P.D.F. file judgment are same word for word as per original Judgment.

Name of steno	:	Anis Deshmukh [Stenographer Grade III]
Name of the Court	:	Shri. Sunil G. Vedpathak District Judge - 2, Pune
Date of Order	:	13/07/2023
Order signed by P.O. on	:	14/07/2023
Order uploaded on	:	17/07/2023