

ORDER BELOW EXH.89 IN REG. C.S.NO.307/2021

Perused application. Heard learned counsel for the plaintiff.

2] It is the contention of the plaintiffs that while service of summons upon the defendant no.3, the bailiff gave report that husband of defendant no.3 met him and he admitted relations with the defendant no.3, however, husband said that name of defendant no.3 is Janabai Appasaheb Kiwale. Therefore, now plaintiffs want to correct the name of defendant no.3 and amend the plaint.

3] Learned counsel for the defendant no.2 filed say contending that he has no objection to allow the application.

4] This is the suit for declaration, partition, possession and permanent injunction. The amendment sought does not change the nature of the suit. Therefore, to decide the matter effectively and completely once for all and to avoid multiplicity of proceedings, the application deserves to be allowed. Hence, order.

ORDER

- 1) Application is allowed.
- 2) Amendment be effected forthwith in the plaint.
- 3) Amended plaint be placed on record.
- 4) Summons/notice be issued fresh to defendant no.3.

Pune
Dt.06/09/2023

sd/-
(Shri M.S. Bharad)
2nd Joint Civil Judge, Junior Division,
Saswad, Pune.

