

MHPU180021082020



R.C.S. No. 186/2020

Laxman

Vs.

Sampat & Ors.

ORDER BELOW EXH. 21

(Passed On 24/06/2024)

This is an application filed by plaintiffs for permitting them to carry out amendment after delay as under.

2. According to plaintiffs, they have filed application for amendment at Exh. 19 which has allowed. However, the nearest relatives of the concern Advocate was ill therefore, he could not come before the Court and carry out necessary amendment as per Exh. 19. Therefore, by filling this application plaintiffs requested to permitting them to carry out necessary amendment as per order at Exh. 19. Hence, this application.

3. The Ld. Advocate for defendant nos. 2 & 2 filed say and thereby submitted that, on 23/03/2023 an order has passed and thereby directed to plaintiffs to carry out necessary amendment within 14 days. Despite this plaintiffs have caused delay of 1 year 3 months. Plaintiffs have not carry out amendment till date. Plaintiffs with intent to prolong the matter and causing harassment of these defendants caused delay. Hence, they lastly prayed to reject the application and if it is allowed the cost of Rs.2000/- be impose upon plaintiffs and pay to these defendants.

4. Perused the application and say. Heard both sides at considerable length. It appears that, the Exh. 19 i.e. the application of amendment has allowed on 23/03/2023 and thereby directed to plaintiffs to carryout necessary amendment within 14 days. Despite this till today plaintiffs have not carryout amendment. Plaintiffs have caused delay for the same of 1 year 3 months. So far as concern the reasons put forth by plaintiffs on record no any documentary evidence in support of the same adduced by plaintiffs. However, it is pertinent to note here that, the suit is

in respect of immovable property. It is necessary to give an opportunity to plaintiffs to carry out necessary amendment in the interest of justice and proper adjudication of the suit. So far as concern the hardship caused to these defendants it is necessary to compensate to them for the act of plaintiffs. Hence, in the light of above discussion I proceed to pass following order.

ORDER

1. The application allowed subject to cost of Rs.1000/- (Rupees One Thousand only) .
2. Cost is condition precedent.

Daund.
Dt. 24/06/2024.

(Sharad B. Kaldate)
2nd Jt. Civil Judge (Jr.Dn.),
Daund, Dist. Pune.

Certificate

I affirm that, the contents of this PDF File are same words to words, as per the original Judgment/Order.
Name of Stenographer : D. A. Merukar, Grade-3
Upload on date : 27/06/2024.