

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,
GHIDNADI- SHIRUR

P.W.D.V. APPLN. NO.51/2023.
CNR NO.MHPU20039392023

:: ORDER BELOW EXH.NO.26 ::

1. This is an application made by the applicant for permission to carry amendment in the application. Read application and say filed by respondents.
2. Read application and say filed by respondent No.1. Heard the learned Advocates for both the parties.
3. The learned Advocate for the applicant submitted that applicant No.1 is not doing any business. But, while typing the application, the business of applicant No.1 is inadvertently mentioned as “शेती” instead of “काही नाही”. It is nothing but typographical error which is required to be rectified. He prayed that the application may kindly be allowed and the applicants may kindly be permitted to carry out the aforesaid amendment.
4. The learned Advocate for the respondent No.1 submitted that the contents in the application are not true and correct. The present matter is posted for evidence. Applicant No.1 has admitted in her affidavit of assets and liability that she is working on daily wages of Rs.200/- per day. She has income source. Therefore, the application is not maintainable and liable to be rejected. He prayed that the application may kindly be rejected.
5. It is evident from record that the applicants have filed present application against the respondents under Sections 12, 18, 19, 20 and

22 of the Protection of Women from Domestic Violence Act, 2005. It appears that the present application is made for permission to carry out amendment as “शेती” instead of “काही नाही” in the application below Exh.1. Applicant No.1 has filed her assets and liability of below Exh.28. On carefully perusal of the said assets and liability, the applicant has mentioned that she was working on daily wage of Rs.200/- in farm. However, due to back pain issue, deponent is unable to work. It prima facie appears that she has not specifically mentioned that she is now doing work in the farm. She has also specifically mentioned that she is unable to work due to her back pain. Therefore, no substance found in the argument of respondent No.1.

6. According to the applicant, while typing the application, the business of applicant No.1 is inadvertently mentioned as “शेती” instead of “काही नाही”. Considering facts and circumstances of the case, it prima facie appears to be typographical error which is required to be rectified. Whether the applicant is doing business or not will be decided on merit after adducing evidence as well as full-fledged hearing of the case. Under such circumstances, if the application is allowed, it will not be caused prejudice to respondents. Hence, I proceed to pass the following order:

:: ORDER ::

1. Application is allowed.
2. Applicants are permitted to carry out aforesaid amendment in the application below Exh.1 on or before next date.

(D.B.Domale)

Judicial Magistrate First Class,
Ghodnadi-Shirur, Dist. Pune.

Date : 05/12/2025.