



Bhagwan Ganpat Shinde
Vs.
Krushi Utpann Bajar Samiti
Manchar tarfe Chairman
Nilesh Vilas Thorat

ORDER BELOW EXH. NO. 25

Defendant Nos.1 and 2 have filed the present application for amendment under Order 6 Rule 17 of the Code of Civil Procedure, 1908 ("C.P.C.") in their written statement.

2. Heard both sides. Considered their submission.

3. The Ld. Adv. for the defendants submitted that defendants have filed their written statement and say to the Exh.5. In the said written statement / say the defendants have denied the contention of plaintiff but inadvertently mentioned in para No.4 " अलीकडे सदर प्रतिवादी क्र.२ यांनी मो.र.नं.३७३/२०२२ अन्वये त्यांचे गट नं.१२४ ची सरकारी मोजणी करुन ***** अतिक्रमण केल्याचे दर्शविले आहे. हा मजकुर खरा व बरोबर असुन तो या प्रतिवादीस मान्य व कबुल आहे " instead of " अलीकडे सदर प्रतिवादी क्र.२ यांनी मो.र.नं.३७३/२०२२ अन्वये त्यांचे गट नं.१२४ ची सरकारी मोजणी करुन ***** अतिक्रमण केल्याचे दर्शविले आहे. हा मजकुर खोटा व लबाडीचा आहे. ". He also submitted that in page No.3 para No.7 inadvertently mentioned "वादीचे अर्ज कलम ४ मधील मजकुर ***** तो या प्रतिवादीस मान्य व कबुल आहे " instead of "वादीचे अर्ज कलम ४ मधील मजकुर ***** हा मजकुर खोटा व लबाडीचा आहे. " This is typographical error. Therefore, amendment needs to be carried out as per the present application. Hence, he prayed to allow the application.

4. The Ld. Adv. for the plaintiffs filed their say at Exh.27 and submitted that the application not true and correct. The defendants through this application trying to wipe out their admission. Hence, he prayed to reject the application.

5. Perused application and record. The present suit is filed for declaration and permanent injunction. It appears that due to typographical error the contents of plaint is admitted instead of denial in the written statement. It seems to be typographical error and not a wiping of admission. The proposed amendment will not change the nature of the suit. The said amendment is necessary for deciding the suit on merit.

6. No prejudice would cause to the plaintiffs, if the proposed amendment is allowed. Hence, following order is passed.

ORDER

- 1) The application at Exh.25 is allowed subject to cost of Rs.100/- be paid to the plaintiffs.
- 2) The defendant Nos.1 and 2 shall carry out the amendment as per application within 14 days from the date of the order and supply the amended copy of the written statement to the plaintiffs and the court.

Date : 07/03/2026
Ghodegaon,

Sd/-
(Sneha Sunil Pulujkar)
2nd Jt. Civil Judge Junior Division,
Ghodegaon, Dist. Pune.

CERTIFICATE

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

Name of the Court : Smt. Sneha Sunil Pulunjar,
2nd Jt. C.J.J.D. and J.M.F.C.,
Ghodegaon, Dist. Pune.

Name of the Steno : J. S. Kaite, Steno Grade - III.

Order date : 07/03/2026

Order signed by P.O. on : 07/03/2026

Order uploaded on : 07/03/2026