



REGULAR CIVIL SUIT NO. 6/2010

ORDER BELOW EXH. 186

The present application is filed by the plaintiffs under Order VI Rule 17 CPC seeking amendment of the plaint. The defendant nos. 1/1, 2/1, 2/2, 2/6, 3/1, 3/2, 4/1, 5/1/1, 5/1/2, 5/1/3, 5/1/4, 6/1 to 6/3, 7/1 and 7/2 have filed their say.

2. Ld. Counsel for the plaintiffs submits that due to marriage, the changed names of plaintiff nos. 4/3 and 8/1 to 8/4 were inadvertently not mentioned. It is further submitted that there are typographical errors in the names of defendant nos. 1/1, 2/1, 2/2, 2/3 and 5/1/4. It is also submitted that defendant no. 4/2 has expired and his legal heir defendant no. 4/1 is already on record; hence deletion of defendant no. 4/2 is sought. Correction of address of plaintiff no. 4/3 is also prayed.

3. Ld. Counsel for defendant nos. 1/1, 2/1, 2/2, 2/6, 3/1, 3/2, 4/1, 5/1/1, 5/1/2, 5/1/3, 5/1/4, 6/1 to 6/3, 7/1 and 7/2 submits that appropriate orders may be passed.

4. Upon perusal of the record and considering the submissions, it appears that the proposed amendments are

for the correction of names due to marriage and rectification of typographical errors do not change the nature of the suit. Deletion of a deceased defendant, whose legal heir is already on record, is procedural and avoids multiplicity of proceedings. No prejudice would be caused to the defendants as no new cause of action is introduced. Hence, following order is passed.

ORDER

1. The application is hereby allowed.
2. The plaintiffs are permitted to carry out the proposed amendments.

Panvel
Date : 02/05/2026

(A.S. Badgujar)
2nd Jt.Civil Judge Senior Division,
Panvel.