

ORDER BELWO EXH.25.

The plaintiff has filed present application under Order 6 Rule 17 of the Code of Civil Procedure 1908 (for short the Code) to amend his plaint. He submitted that during pendency of the suit, on 04.09.2023 the defendant no.6 got executed Power of Attorney bearing No.2079/2023 from the defendant no.2 & 4. Thereafter, the defendant no.1 to 4 & 6 executed registered sale deed bearing No.255/2024 dated 25.01.2024 of the suit property no.3 in favour of the defendant no.7 namely Varada Sunil Tatkare and the defendant no.4 without determining his undivided share sold the suit property No.2 vide sale deed bearing No.683/2024 dated 29.02.2024 to the defendant no.8 namely Vasant Rajaram Mumbere. On basis of sale deed executed in favour of the defendant no.7 mutation entry no.1876 is also recorded. Both sale deeds are hollow & illegal and need to be cancelled. In view of these subsequent events, the plaintiff wants to added new content in Para no.7 of the plaint as Para no.71/, 7/2 & 7/3, he also intends to change suit valuation clause in para no.12 by adding new para no.12/1, 12/2 & 12/3 and prayer clause of para no.15 by adding new reliefs as D/1, D/2 & D3. Hence the application.

2. Defendants opposed to present application by filing their say overleaf the application. They objected to grant present application.

3. Heard learned advocates of respective parties. Perused the record. As per Order 6 Rule 17 of the Code, amendment of pleading can be permitted to bring on record the subsequent events, provided such amendment is necessary for determining the real question in controversy between parties. In present case, the amendment sought is based on subsequent events which have a direct bearing on the reliefs claimed. Further allowing the amendment will enable the Court to adjudicate the dispute effectively, finally and avoid multiplicity of proceeding. Even, no prejudice will be caused to defendants who shall have liberty to file an additional written statement. Hence, following order would meet ends of justice.

ORDER

1. Application is allowed.
2. The plaintiff is permitted to amend the plaint as prayed.
3. The plaintiff shall carry out the amendment within 14 days from today and produce amended copy forthwith on record.
4. Defendants to note of this order.

Date :- 08.07.2026.
Place :- Roha

(S.V.Khaire)
Civil Judge Junior Division,
Roha