

ORDER BELOW EXH.108.

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 he filed present suit for declaration of his title & perpetual injunction, however, area of the suit property is mentioned mistakenly as 0-27-30 HR instead of 0-28-30 HR. Said mistake needs to be corrected. The plaintiff also submitted that due to that amendment, no nature of the suit will change. Hence the application.

2. The defendants opposed to present application by filing their say overleaf the application. They strongly objected to present application.

3. Perused the application. Heard Ld. Advocates of respective parties. On basis of 7X12 extract of the suit property at Exh.95, Sale deed at Exh.96 area of the suit property is seen to be 0-28-30 HR. For proper adjudication of the suit, proper description of the suit property must come on record. Though evidence has commenced, proposed amendment is must for deciding real controversy between parties. Due to that no prejudice would cause to defendants. Hence, I am inclined to allow the present application in following terms.

ORDER

1. Application is allowed.

2. The plaintiff shall amend the plaint as sought within 14 days from today and provide amended copy forthwith.
3. The defendant shall take note of this order.

Date :- 07.05.2026.

Place :- Roha.

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