

ORDER BELOW EXH.33 IN R.C.S.NO.181/2012,
RAMESH VS. JAGNNATH & OTHERS.,

The plaintiff moved this application for permission to amend the plaint Exh.01 under Order VI, Rule 17 of the Code of Civil Procedure, 1908.

2- It is the contention of plaintiff that, after institution of present suit the name of their company came to be changed from “Ganesh Investment and Financial Technique Pvt.Ltd.” to “G.I. Corporate Advisors Pvt. Ltd.” It is next contended that the Registrar of the companies also affirmed the above change in the name of plaintiff company. Therefore the amendment in the title clause of the plaint is required for determination of real question in controversy and prayed for grant of application.

3- Perused application, record and herd Ld. Advocat for plaintiff Shri R.L. Meher. The defendants failed to file say to the application therefore the application proceed without their say.

4- I have gone throw record were it is seen that plaintiff instituted present suit for deceleration, specific performance of contract, recovery of possession. Looking into title clause it is seen that the plaintiff is the director of company “Ganesh Investment and Financial Technique Pvt.Ltd.”. The plaintiff annexed the necessary permission from concern registrar of companies regarding certificate of incorporation pursuant to change of name. Also plaintiff supported the application throw affidavit Exh. 34. In this regard if the amendment as sought under application to be granted then any prejudice would not be caused to defendants nor the nature of suit would be changed. In this backdrop I proceed to pass following order.

ORDER

1. The application stands allowed.
2. The plaintiff to carry out the amendment as sought within prescribed period of law.
3. The plaintiff to file amended plaint on record within prescribed period of law and shall provide as many copies of plaint as the defendants are.

Date :-02/07/2022

(S.S. Khirapate),
Jt. Civil Judge, Jr.Div., Uran.