



ORDER BELOW EXHIBIT 214 (I.A.No. 2/2022)

IN R.C.S. NO. 65/2010

The suit is for partition and separate possession. The present application is filed by the plaintiff under O.6 R.17 of the Code of Civil Procedure for amendment of the plaint.

02. Perused application and say. Heard both sides.

03. It is submitted by the plaintiff that defendant no.1-A has died on 09/12/2022. Defendants no.1-B to 1-G are legal heirs of the deceased defendant no.1-A. Thus, defendants have prayed that permission be granted to carry out amendment in the plaint to that effect.

03. The application is strongly objected and submitted by it is false one. It is required to bring on record legal heirs of deceased defendant no.1-A separately. The plaintiff has not made such prayer. Thus, defendants have prayed for rejection of the application.

04. There is no dispute about the death of deceased defendant no.1-A. The plaintiff want to carry out amendment in the plaint as a result of death of defendant no.1-A. It is pertinent to note that legal heirs of deceased defendant 1-A are already on record in the capacity as 1-B to 1-G. Considering nature of the application and amendment being technical in nature, it is just and proper to allow the plaintiff to carry out amendment in the plaint as prayed. Hence, following order is passed.

-: ORDER :-

1. Application is allowed.
2. The plaintiff is directed to carry out amendment as prayed within 14 days from the date of this order.
3. plaintiff to comply accordingly.

Date : 20/12/2022

Amardeep D. Tidke

Place : Malvan.

Civil Judge Junior Division, Malvan.