

**CNR NO. MHSI70001392022****Order passed below Exh. No.50
(I.A. No.2/2023) in R.C.S. No. 32/2022**

This is an application preferred by the plaintiff under Order 6 Rule 17 of the Code of Civil Procedure.

2. The plaintiff has contended that the plaintiff has impleaded name of the defendant no.13 as Rashmi Ramesh Tikam. However, the defendant has filed pursis at Exh.33 and informed that name of the defendant no.13 is not Rashmi Ramesh Tikam, but, her name is Rasika Ramesh Tikam. Therefore, it is prayed that the plaintiff be allowed to correct name of defendant no.13. Therefore, prayed to allow the application. The defendants have resisted the application by filing say on overleaf of the application.

3. Heard both the sides. Both the sides have reiterated the contentions raised in the application and say. The application for proposed amendment is preferred before the commencement of trial. Moreover, the intended amendment is of formal amendment. It will not change the nature of the suit. By allowing the present application, no prejudice will be caused to the defendants. Therefore, the plaintiff needs to be permitted to carry out the proposed amendment. Thus, the application filed by the plaintiff is liable to be allowed and accordingly I pass following order.

ORDER

1. The application at **Exh.50** is hereby allowed.
2. The plaintiff shall carry out amendment on or before next date from the date of order and provide amended copy of plaint to the defendants free of Costs.

(Pronounced and dictated in open Court.)

Place : Malavan
Date : 15/02/2023

Mahesh R. Devkate
Jt. Civil Judge Jr.Dn., Malvan.