



CNR NO. MHSI070002382014
Order passed below Exh. No.69
(I.A.No.4/2025) in R.C.S. No.69/2014

This is an application preferred by the plaintiff under Order 14 Rule 5 of the Code of Civil Procedure for amending issue no. 1.

2. The plaintiff has contended that the plaintiff has amended the plaint by filing amendment application at Exh.53. In view of the said amendment issue no. 1 needs to be amended. Therefore, prayed to allow the application.

3. The defendants have resisted the application by filing say on overleaf of the application. It is contended that the appeal is preferred against the order passed under Tenancy Act. Therefore, prayed to reject the application.

4. Heard both the sides. Both the sides have reiterated the contentions raised in the application and say. As per Order 14 Rule 5 of the Code of Civil Procedure, the court may at any time before passing a decree amend the issues or frame additional issues. On perusal of issues framed below Exh.22, it appears that issue no. 1 is framed that Whether the plaintiff proves that 4 Anne share owned and possessed by the plaintiff and defendant no. 3 to 5 ? The record further shows that the plaintiff preferring an application at Exh.53 carried out amendment in the plaint and shows his total area 1 H. 22 R. In view of the said amendment area mentioned in issue no. 1 needs to be amended. Hence,

application filed by the plaintiff is hereby allowed and issue no. 1 is amended as follows. Accordingly, I pass following order.

ORDER

1. The application at **Exh.68** is hereby allowed.
2. The issue no.1 framed below Exh.22 is hereby amended as follows

“ दावा मिळकतीपैकी १ हेक्टर २२ आर क्षेत्र वादी व प्रतिवादी क्र. ३ ते ५ यांच्या मालकी व कब्जे वहिवाटीचे असल्याचे वादी शाबीत करतो काय ?”

(Pronounced and dictated in open Court.)

Date : 02/04/2025

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