



CNR NO. MHSI070004612025
Order passed below Exh. No. 40
in R.C.S. No. 106/2025

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 present suit is filed for partition and separate possession of ancestral properties of plaintiff and defendant. Inadvertently, two ancestral properties were not included in this suit. Therefore, he wants to add those properties. The said amendment is of formal nature. It will not change the nature of the suit. Therefore, prayed to allow the application.

3. The defendant nos. 6 to 17, 19 to 26 have filed their say at Exh.44. They have contended that they have no objection to allow the application.

4. Heard both the sides. Perused record. By way of the proposed amendment the plaintiff wishes to add two ancestral properties as suit properties. The proposed amendment appears to be technical and formal in nature. No prejudice will be caused to the defendants, as the intended amendment is of formal nature. In a suit for partition all ancestral properties have to be included. Thus,

the application filed by the plaintiff deserves to be allowed.
Hence, following order.

	<u>ORDER</u>
1.	The application at Exh.40 is hereby allowed.
2.	The plaintiff shall carryout amendment on or before next date and provide amended copy of plaint to the defendants free of Costs.
3.	No order as to costs.
	Pronounced and dictated in open Court.

Sd/-

(M.K.FAkih)

Civil Judge Jr.Dn., Malvan.

Date : 21/01/2026