



CNR No. MHSI070005102025
Order passed below Exh. No.33
in Civil M.A. No. 35/2025

The present application has been filed by the applicant under Order VI Rule 17 of the Code of Civil Procedure seeking amendment of the application. It is the contention of the applicant that the present proceedings have been filed for obtaining a heirship certificate of Sadashiv Vishnu Dhuri. It is submitted that in the genealogy, the names of Smt. Jayshree Ramchandra Dhuri and Smt. Smita Ramchandra Dhuri were inadvertently not mentioned. The applicant therefore seeks to add Smt. Jayshree Ramchandra Dhuri and Smt. Smita Ramchandra Dhuri as Respondent Nos. 15 and 16. It is submitted that the proposed amendment is clerical in nature and no prejudice will be caused to the respondents. It is further submitted that the application can be decided on merits only if the amendment is allowed.

2. The application is opposed by Respondent Nos. 1 to 16 by filing reply act Exh.34. It is their contention that the proposed amendment ought to have been made at the time of filing the application itself. Therefore, they prayed for rejection of the application.

3. I have heard both sides and perused the record.

4. By way of the proposed amendment, the applicant seeks to insert the names of Jayshree Ramchandra

Dhuri and Smita Ramchandra Dhuri as they are the legal heirs of the deceased Sadashiv Vishnu Dhuri. Since the present proceedings are for obtaining a heirship certificate, all legal heirs are necessary parties. Therefore, the proposed amendment is necessary for deciding the real controversy between the parties. The proposed amendment will not change the nature of the proceedings. Therefore, the application deserves to be allowed. Hence following order,

ORDER	
1.	Application below Exh. 33 is allowed.
2.	The applicant shall carry out the amendment as prayed for.
3.	The applicant shall file a copy of the amended application on record and supply copies to the respondents on or before the next date.
4.	No order as to costs.
(Pronounced and dictated in open Court.)	

Place : Malvan
Date : 11/03/2026

Sd/-
M.K.Fakih
Civil Judge (J.D.) Malvan.