

**Order below Exh.32 in Regular Civil Suit No.146/2018**  
**(Vishwajeet Jagannath khot v/s.Smt. Ranjana Sharad Hawaldar)**

This is an application filed by plaintiffs for amendment of plaint under Order 6 Rule 17 of Civil Procedure Code.

2. It is contention of the plaintiffs that, present suit was filed for Declaration and injunction. During pendency of the present suit plaintiff no. 2 Viz Vivek Jagannath Khot has attained majority. Therefore, plaintiffs have prayed that they be permitted to carry out amendment in the plaint.

3. Defendants have objected the application on the ground that contention of the plaintiff is not supported by documentary evidence and therefore denied by the defendants.

4. Heard Advocates for plaintiffs and defendant. The application is mainly objected on the ground that it is not supported by the documentary evidence. On perusal of the plaint, it is seen that suit was instituted with permission of the court to appoint Sou. Savita Mahadeo Patil as guardian of plaintiff no. 2 and 3. Thereafter, plaintiff no. 3 has attained majority and vide order below Exh. 28, plaintiffs were permitted to amend the plaint. In much the same manner plaintiff have made this present application. Plaintiffs have filed on record along with list Exh. 33, the school leaving certificate of plaintiff no. 2 which shows that, date of birth of plaintiff no.2 is 17.03.2002. Therefore, document filed on record clearly shows that, plaintiff no. 2 has attained the majority. It is also seen that, now plaintiff no. 2, as per Sub-Clause (2) of Rule 12 of Order 32 of C.P.C., wants to proceed with the suit by himself alongwith the plaintiffs and wants to discharge the guardian. Hence, vide Sub-Clause (3) of Rule 12 of order 32 of C.P.C plaintiffs needs to be permitted to amend the plaint. Therefore, I proceed to pass the following order :-

**ORDER**

1. Application is allowed.
2. Guardian Savita Mahadeo Patil is discharge as a guardian of plaintiff no. 2
3. Plaintiffs to carry out amendment as per requirement under Sub-

clause(3) of Rule 12 of Order XXXII of Civil Procedure Code and to file amended plaint within or before next date.

Sd/-

Islampur,  
Date: 28.09.2021

(N. D. Jadhav)  
4<sup>th</sup> Jt. Civil Judge Jr. Dn.,Islampur.

**CERTIFICATE**

I affirm that the contents of the P.D.F. file are same, word to word, as per original order.

Name of the Stenographer	:	Smt. R.S. Kolekar,
Court Name	:	4 <sup>th</sup> Jt. C.J.J.D. & J.M.F.C., Islampur.
Date of Order/Judgment	:	28.09.2021
Signed by P.O. on	:	28.09.2021
Uploaded on	:	28.09.2021