

RCS No. 112/2018
(Balu Londhe Vs. Rupeshkumar Londhe & others)
(CNR No. MHSN070006112018)

ORDER BELOW EXH. 22
(Passed on 19th December, 2018)

This application is filed by the plaintiff for the amendment in the plaint as well as in the application for temporary injunction below Exh. 5 vide Order VI Rule 17 of the Civil Procedure Code read with section 151 of the same code.

2. Heard learned advocate Mr. B.S. Jadhav for plaintiff and learned advocate Mr. S.V. Hiremath for the contested defendants. Perused the pleadings and the contentions raised in the application as well as say filed by the defendants. It is seen that, the suit is filed for perpetual injunction in respect of the property bearing CTS No. 1006 situated at village Hingangaon. The property extract of the suit property is annexed with the plaint at Exh. 9. The said property extract shows that, CTS No. 1006 is admeasuring 26.1 sq. mtr. However in the description of the suit property, it is mentioned in the plaint as well as in Exh. 5 as 1006 sq. mtr. Plaintiff intends to correct the said area in the description of the suit property mentioned in the plaint and Exh. 5 by way of this application. The suit property is admeasuring 26.1 sq. mtr. The boundaries thereof are also specifically mentioned in para 1 of the plaint. No prejudice would be caused to the defendants by way of the amendment sought by the plaintiff. Rather it would be help this court to decide question in controversy on merits. Hence, the order :

ORDER

- 1) Application below Exh. 22 is allowed.
- 2) Plaintiff is directed to carry out the necessary amendment within 14 days and provide the amended copy of the plaint and Exh. 5.

Date :- 19/12/2018.
Kavathe-Mahankal.

Sd/-
(Pravin R. Navale)
Civil Judge Junior Division
Kavathe-Mahankal.