

ORDER BELOW EXH.35 IN RCS NO. 06/2024

This is an application filed for amendment in plaint. It is contended that, surname of defendant no.8 and 10 has been mistakenly mentioned wrong in the plaint as well as middle name of defendant no.4 is also wrongly mentioned. The said fact is reported by bailiff. Therefore, it is prayed that, plaintiff may be permitted to amend the plaint by making correction in the names of defendant no.4, 8 and 10.

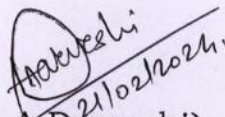
Perused the application and report. It is pertinent to note here that , suit summons is not served due to wrong name of defendant No. 4, 8 and 10. It clearly show that, it is typographical mistake and if the names of these defendants are corrected, no prejudice will be caused to other defendants. On the contrary, if the amendment is not allowed then severe loss will be caused to plaintiffs as they will not be able to get done service of summons. Thus, considering typographical mistake and nature of amendment, I have no hurdle to allow the application. In turn, I pass following order.

ORDER.

1. Application (Exh.35) is allowed.
2. Plaintiffs are permitted to carry out the amendment in the plaint as prayed.
3. Plaintiffs shall carry out amendment within 14 days from the date of this order and file amended copy of plaint.
4. No order as to cost.

Date-21.02.2024

Tasgaon.


(D.A. Darveshi)

2nd Jt. Civil Judge, Junior Division,
Tasgaon.