

Order below Exh.48 in
R.C.S.No. 95/2015

(Smt.Nanda Pawar etc. Vs. Subhash Pawar etc.)

(1). The plaintiff has filed present application under Order VI Rule 17 of Code of Civil Procedure and prayed to amend the plaint.

(2). As per contention of the plaintiff that the bailiff report reveals that name of defendant no.4 as Shobha Tatyaso Bhuite and defendant no.5 as Nanda Bapuso Bhuite. Therefore, the plaintiff filed the present application to amend the plaint.

(3). The defendant no.7 has filed say and submitted that application may kindly be rejected. The defendant nos. 1, 8 to 10 have not filed their say. Hence, application is proceeded exparte against them.

(4). The learned advocate for the plaintiff submitted that Law in respect of amendment in plaint is settled. It is stated that broad view needs to be taken in cases of amendment in plaint. But, if the proposed amendment cause prejudice to the defendants then such type of amendment shall not be allowed. In the present case due to the proposed amendment it will not cause prejudice to the defendants. In the interest of justice in order to decide the

suit on merit the proposed amendment needs to be allowed.

Hence, I pass following order.

Order

- (1) The application is allowed subject to costs of Rs.300/-
- (2) The plaintiff is directed to carry out the amendment as prayed within 14 days from today and to submit amended copy of the plaint.

Sd/xx

Palus.

(K.S.Suryawanshi)

Date:- 10/07/2017.

Jt.Civil Judge Jr.Dn., Palus.