

Order below Exhibit 21 in Regular Civil Suit no. 75 of 2023
(CNR No. MHSN130002802023)

The defendants no. 1 to 4 have filed the present application under Order 6 Rule XVII of the Code of Civil Procedure.

2) The defendants contended that the plaintiff the present suit under specific relief act. They further contended that they filed written statement (Exh. 18). The plaintiff has sent notice to the defendants and they replied the same. The defendants want to state actual position of suit property and add paragraph regarding share on southern side. Hence defendants want to insert para no.8(V and VI) after para no. 8 (IV). The said amendment would not change the nature of the written statement and it is formal in nature. Hence prayed to allow the application.

3) The plaintiffs resisted the application contending that the contents in the application are not correct. They further contended that nature of written statement will be changed. Hence prayed to reject the application.

4) Perused application and say. Heard.

5) On perusal of record, it is apparent that the defendants are seeking amendment regarding share on southern side and want to insert para no.8(V and VI) after para no. 8 (IV). The amendment sought by the defendants will not change the nature of the written statement and there will be no loss to the plaintiffs. To avoid the multiplicity of proceedings and to determine the real question in controversy between the parties, the present amendment deserves to be carried out. Hence it would be in the interests of justice to allow the defendants to amend the written statement accordingly.

Accordingly, the following order is passed :

ORDER

- 1) The application is allowed.
- 2) The amendment be carried out on or before next date and amended copy should be submitted.
- 3) Parties to bear their own costs.

Sd/-

Kadegaon
Date : 03.01.2024

(J.T.Koregaonkar)
Civil Judge, (J.D) Kadegaon