

ORDER BELOW EXH.10

This is an application filed by the plaintiffs under Order 6 Rule 17 of the Code of Civil Procedure for amendment of address of defendant No.1 in the plaint. Plaintiffs have not found defendant No.1 at given address. After searching plaintiffs, they came to know that defendant No.1 is now residing at Sakhrale, Tal.Walwa, Dist.Sangli. Therefore, plaintiffs urged for amendment of address of defendant No.1 in plaint. Hence, grant of present application.

02. In this matter defendants are not appeared. Perused record. Heard ld. Counsel on behalf of plaintiffs. Instant suit is filed for partition and mandatory injunction vide Section 22 and 38 of the Specific Relief Act. After perusal of the record it reflect that plaintiffs have mentioned the address of the defendant No.1 as Mardwadi, Tal.Walwa, Dist.Sangli. But, Plaintiff stated on affidavit that defendant No.1 in now residing at Sakhrale, Tal.Walwa, Dist.Sangli. The proposed amendment is the necessary for fair adjudication of matter in hand on merits. Therefore, no prejudice would be caused to other side if instant application will be allowed in view of Order 6 Rule 17 read with Section 151 of the Code of the Civil Procedure. Hence, I proceed to pass the following order;

ORDER

1. Application at Exh.10 is hereby allowed in the interest of justice.
2. The plaintiffs shall comply the order within stipulated period.
3. The plaintiffs shall file amended plaint on record.
4. The in-charge of C.I.S. shall take note and comply the order in C.I.S.
5. Costs in cause.

Vita.
Date: 11.04.2025.

(M.Sharique A.U. Rahman)
Jt.Civil Judge Jr. Dn., Vita
Tal. Khanapur, Dist-Sangli.

CERTIFICATE

I affirm that the contents of this PDF file are same as per original.

Name of Stenographer :- S.V.Gaikwad,
Name of the Court :- M.S.A.U. Rahman,
Jt.Civil Judge Jr. Dn., & J.M.F.C.,
Vita. Tal:-Khanapur.
Date of decision :- 11.04.2025
Order signed by P.O. on :- 11.04.2025
Order uploaded on :- 11.04.2025.