

ORDER BELOW EXH.35 IN R.C.S. NO.365/2024

1. The present application is filed by plaintiff seeking amendment in plaint in relation to verification clause, description of suit property and to make amendments in respect of representation of other interested residents.
2. The Ld. Advocate for the defendant No. 2 have failed to file say, hence no say order came to be passed against defendant No. 2. Defendant No. 1 has filed say overleaf of the application and opposed the present application.
3. Here, heard both parties at length.
4. The present suit is filed by the plaintiff in representative capacity and he has vide Exh. 31 sought permission to proceed suit in representative capacity and accordingly permission came to be granted vide order dated 06/04/2026. However, in respect of the said application and permission to proceed with the suit in representative capacity certain amendments are sought to be made by the plaintiff which are in detail mentioned in para 14 of the present application. As application at Exh.31 came to be allowed and plaintiff is granted permission to proceed with the suit in representative capacity, it has become necessary that, the details of persons who are represented by the plaintiff alongwith their properties be mentioned in the plaint. If said details are not mentioned, it will affect the representative nature of the suit. Further the amendment sought do not appear to have any adverse effect on the rights of defendants. The amendment application is filed at proper stage and there appears no inordinate delay in the same. Therefore, have considered all the above reasons I am of the opinion that, the application is required to be allowed. At the same time it is necessary to consider say of the defendant No. 2 and it is necessary to impose costs in order to compensate the defendant No. 2. Hence, I pass following order.

ORDER

1. The application is allowed subject to cost of Rs. 300/- to be paid by the plaintiff to defendant No. 2.
2. The amendment as per application be carried out within stipulated period.

Sd/-

(Smt. Revati P. Bagade)

4th Jt.C.J.J.D. Barshi.

Date : 10/06/2026

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment / Order

(a)	Name of the Stenographer	:	S. V. Kokate (Grade III)
(b)	Court	:	Smt. Revati P. Bagade, 4 th Jt. Civil Judge, J.D.& J.M.F.C.Barshi
(c)	Judgment /Order signed by P.O. on	:	10/06/2026
(d)	Judgment /Order uploaded on	:	10/06/2026