

ORDER BELOW EXH. 29 IN RCS NO. 355/2012

Application is for amendment in the plaint. Perused application and heard advocate of the plaintiff.

2. The plaintiff submitted that, the application for appointment of Court Commissioner at Exh.27 was rejected by this Court assigning reason in para no.4. The plaintiff stated that the defendant has encroached on the suit property upto 20 ft. Hence it is necessary to amend the plaint by inserting words mentioned in the application in para no.3 and 9B of the plaint. Amendment is necessary to avoid multiplicity of proceeding and to decide dispute between parties.

3. Defendants have not objected the suit by filing reply. The plaintiff want to insert relief as to recovery of possession. Whether the plaintiff is entitled for such relief or not is matter of evidence and can be decided at final stage. Hence, it is necessary to allow this application. Hence, following order-

ORDER

Application is allowed. The plaintiff shall carry out amendment in the plaint as per application within 14 days from today and shall file amendment copy of the plaint.

(R.S. Dhadake)

Date- 08/03/2022 2nd Jt. Civil Judge Junior Division, Barshi.

CERTIFICATE

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

Name of Stenographer	: Shaikh A.G. Steno Grade-III
Court	: 2 nd Jt. C.J.J.D., Barshi
Judgment / Order date	: 08/03/2022
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