

ORDER BELOW EXHIBIT-17 IN R.C.S.No.620 of 2017

Present application is filed by the plaintiff under Order VI Rule 17 of the Code of Civil Procedure seeking permission to amend the plaint.

2. It is asserted that defendant No.8 Ratan Machindra Dhengale has died on 07.08.2017. She was the mother of the plaintiff and the defendant Nos.1 & 3 to 6. Suit is for partition and separate possession. Due to her death, share of the plaintiff in the suit properties have been enlarged from 1/7 to 1/6. Plaintiff & defendant Nos.1 & 3 to 6 are her legal representatives. Hence, she be permitted to make necessary amendments in the plaint. She has not given the address of defendant Nos. 4 to 7 due to inadvertence. They are resident of Jyotibachi Wadi Taluka Barshi. Hence, the application.

3. Defendant Nos. 1, 2 & 5 to 7 have filed their say (Exh.24) and objected the application contending that the application is false. They have prayed for rejecting the application.

4. Perused the record and proceedings. Heard both the sides. Only point which arise for consideration is : Whether the plaintiff has made out a case to allow the application?

5. Plaintiff wants to amend the plaint so as to assert that her mother defendant No.1 has died and to claim that her share has been increased from 1/7 to 1/6. Death of her mother is not disputed. She wants to provide the addresses of defendant Nos.4 to 7. Suit is at initial stage. Proposed amendment would not change

the nature of the suit. Hence, the application is allowed. Plaintiff is permitted to amend the plaint. She shall carry out the amendment within two weeks. She shall submit a copy of the amended plaint.

Date : 09.01.2018

(S.K. Khan)
Jt. Civil Judge (J.D.),
Barshi.

CERTIFICATE

I affirm that the contents of this P.D.F. file order are same word to word as per original order.

Name of Stenographer	:	
Court Name	:	S.K.Khan, Jt.C.J.J.D.& J.M.F.C. Barshi.
Date	:	09.01.2018
Judgment signed by the presiding officer on	:	09.01.2018
Judgment uploaded on	:	09.01.2018