

MH50130016642012

**ORDER BELOW EXH. NO. 36**

01. Perused the application and affidavit.
02. Despite sufficient opportunity, defendant had not filed say. Hence, no say order was passed on this application on 14/06/2023.
03. This is application for amendment in the pleading moved by the plaintiff. It is contention that the proposed defendant No.7 is necessary party and she is required to be added. It is further contended that for more clarification pedigree is required to be pleaded. There were subsequent transactions of the suit land. Amendment to that effect is necessary. Further it is contended that the proceedings of revenue authorities are also necessary to be pleaded. Therefore, this application moved.
04. It appears that the proposed amendment is based upon subsequent events. The amendment is explanatory and clarificatory in nature. There appearance no malafide on the part of the plaintiff. No new story is pleaded. Nature of the suit is not going to be changed. The proposed amendment is necessary to determine the real controversy between the parties. Hence, I proceed to pass following order;

ORDER

1. The amendment application Exh.36 is allowed subject to costs of Rs.1,000/-(Rs. One Thousand Only) to be paid to the defendant.
2. The plaintiff is directed to carry out amendments within 14 days from the date of this order.
3. The defendants are at liberty to file additional written statement in view of amended portion.
4. After amendment, issue suit summons to defendant No.7 for filing of written statement and settlement of issues.

(Dictated and pronounced in open Court.)

Sd/-

(Jahangir R. Pathan)

2nd Jt. Civil Judge, J.D., Barshi.

Date : 02/12/2023

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.R. Barangule
(b)	Court	:	J.R. Pathan, 2 nd Jt. C.J.J.D. & J.M.F.C., Barshi.
(c)	Judgment /Order declared on	:	02/12/2023
(d)	Judgment /Order signed by P.O. on	:	02/12/2023
(e)	Judgment /Order uploaded on	:	02/12/2023