

Order Below Exhibit.20

The present application has been filed by the defendant for amending his written statement under Order VI rule 17 of the Code of Civil Procedure 1908.

2. It is the case of the defendant that he in inadvertently omitted to mention some important pleadings with respect to question of law in his written statement at Exh.16. The defendant further submits that it is just and necessary to allow the present application in the interest of justice.

3. On the other hand, the Ld. Advocate for the plaintiff has opposed present application by filing say below Exh.24. It is the case of the plaintiff that the present application filed by the defendant is not true and correct. The defendant is trying to change the nature of the suit by way of the present amendment. Hence, the application is liable to be rejected.

4. I have heard the learned advocates for the parties. I have perused the record. By way of the amendment the defendant is trying incorporate in his written statement pleading of parameters pertaining to rejection of relief of temporary injunction. It is settled law that law need not be pleaded. Therefore, I am of the considered view the by way of the present amendment the defendant is trying plead the legal principles essential for rejection of temporary injunction which in my considered view is not necessary as they are law point and there is no necessity to plead the law pleading always pertain to facts my view is guided

by the provision of order VI Rule 2 of the Code of Civil Procedure, 1908, which stipulates that pleading shall be with respect to material facts only and not the law or evidence. Therefore, I do not find any necessity of the aforesaid amendment. Hence, I pass the following order.

Order

1. The application is rejected.
2. No order as to cost.

Date: 27.11.2025

(N.P. Baji)
2nd Joint Civil Judge Junior Division,
Mohol