

ORDER BELOW EXH.71

IN

Spl.C.S.No.869 of 2023

(CNR No.MHSO220051632023)

This is an application for the amendment in plaint under O-VI, Rule 17 of the Code of Civil Procedure.

2] It is submitted by the applicant that inadvertently in paragraph No.13 prayer clause (c) it has mentioned defendant No.10 to 17 instead of defendant No.10 to 19. The proposed amendment is only to seek typographical mistake. Said amendment will not affect the nature of suit and also not affect the defendants case. The nature of suit does not change by said amendment. Hence, application be allowed.

3] The defendants No.2 to 14 filed their say on back page of the same application and strongly opposed the amendment. Only to prolong the matter plaintiff has filed this application at belated. Hence, it be rejected. If allowed costs be imposed.

4] This suit is filed for declaration, partition and separate possession. In this matter trial is yet to be commenced. Issues are not framed. Therefore, application is filed diligently. The mistake being typographical, it should be allowed to be rectified. The amendment does not change the nature of the suit. It does not cause any prejudice to the defendants case. Hence, considering the stage of the suit and in order to decide the suit finally and effectively, the amendment application deserves to be allowed. Therefore, following order is passed.

ORDER

- 1) The application is allowed.
- 2) The plaintiff shall carry out the amendment and file the amended copy within prescribed limit according to law.

Place : Karmala.
Date : 16.02.2026

[Sanjay M.Ghuge]
Civil Judge Senior Division,
Karmala.

CERTIFICATE

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

Name of Stenographer : B.R.Kondekar
Court Name : Civil Court Senior Division, Karmala
Date : 16.02.2026

Order/Judgment signed
by the Presiding Officer on : 16.02.2026

Order uploaded on : 17.02.2026