

R.C.S.No. 110/2023
MHST060003892023

ORDER BELOW EXH.20

This is an application under Order VI Rule 17 of the Civil Procedure Code, 1908 (Hereinafter referred as “the C.P.C” for the sake of brevity) for amendment in the plaint. Perused the application and reply. Heard the learned counsels for both the sides at length.

2. By virtue of the instant application, plaintiff wants to add legal heirs of deceased defendant no.3 and 9 as mentioned in the present application. He wants to add paragraph no.3A and 3B in the plaint. He also wants to add word “deceased” in front of defendant no.3 and 9 in the plaint. The proposed amendment will not change the nature of the suit. It will not cause any prejudice to defendants.

3. Defendants objected the application by filing their say. They contended that the application is not tenable and filed at last stage.

4. Plaintiff contended that the amendment is necessary for avoiding the multiplicity in the proceeding. The proposed amendment is formal in nature. It will not change nature of the suit. Consequently, I proceed to pass following order.

ORDER

1. The application stands allowed subject to costs of Rs.300/- payable to defendants.
2. Plaintiff is permitted to carry out the proposed amendment in the plaint on or before next date.
3. Plaintiff is directed to place on record the amended copy of the plaint and further directed to supply copy of the same to the defendants.

Place : Dahiwadi.
Date : 24.09.2024

(S. S. Gadve)
Jt. CJJD, Dahiwadi.

-: Affirmation certificate :-

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

Name of the Stenographer	:- P.R.Kamble, Steno Grade-3,
Name of the Court	:- Jt. Civil Judge (J.D.) & J.M.F.C., Dahiwadi, Tal. Man, Dist. Satara.
Date of judgment/order	:- 24/09/2024.
Judgment/order signed by the Presiding Officer on	:- 24/09/2024.
Date of judgment/order uploaded on	:- 24/09/2024.