

R.C.S. No. 09/2020  
Janglu & ors Vs Ganpat & Ors  
Exh.19 continue

**ORDER BELOW EXH.19**

(Dated - 19/03/2025)

Plaintiffs moved an application under Order 6 Rule 17 of the Code of Civil Procedure for amendment in the plaint. Read application and heard learned counsel for plaintiffs. Defendants failed to file reply though the sufficient chance has been granted, nor appeared for hearing.

02. The learned counsel for plaintiffs vehemently submitted that the suit is filed for cancellation of relinquishment deed, however the substantial relief has not claimed. The issues have been framed in the suit, however the evidence yet to be adduced by plaintiffs. Plaintiffs want to add the claim for partition and separate possession of the suit property. Therefore, plaintiffs be permitted to amend the plaint.

03. The suit for cancellation of relinquishment deed admitted by the defendant no.2 to 6, however the defendant no.1 filed written statement below Exh.15 raising preliminary objection about non claiming of substantial relief. The issues have been framed in the suit, however the trial has not been commenced so far, as the plaintiff has not filed evidence on record. The proposed amendment for the relief of partition and separate possession is necessary to be on record to maintain the consequential relief cancellation of relinquishment deed. The proposed amendment will not cause any prejudice to the other side and other side have an opportunity to reply the same by way of amendment in the pleading. Plaintiffs want to amend the pleading at initial stage of the trial in the suit. Thus, considering the all aspects in the matter, following order-

**ORDER**

- 1] The application Exh.19 is allowed.
- 2] Plaintiffs are permitted to carry out the proposed amendment in the plaint, on or before next date.
- 3] Plaintiffs shall provide amended copy of the plaint.

(Order dictated and pronounced in open Court.)

Seloo.  
Date – 19/03/2025.

( V.M. Bansod )  
Civil Judge Jr. Division  
Seloo