

R.C.S. No. 29/2020
Rukhminabai .Vs. Parashram & others.
CNR No. MHWS02000140-2020

ORDER BELOW EXH. 38.

This is an application preferred by the plaintiff to amend the plaint under Order VI Rule 17 of the Code of Civil Procedure.

2. This application is resisted by defendant No. 1 by filing say below application.

3. Heard.

4. By way of this application plaintiff is seeking the relief of declaration. Accordingly, he wants to amend the plaint. The proposed amendment is made at the earliest moment as trial is yet to be initiated. Under such circumstances, if the application is allowed, no prejudice will be caused to the defendants. Moreover, the proposed amendment is necessary to determine the real controversy in the matter and for fair trial. Liberal approach is the general rule. It is settled position of law that no hyper-technical and pedantic approach should be adopted while considering such application. Hence, following order.

ORDER

- 1] Application is allowed.
- 2] Plaintiff to carry out the proposed amendment on or before next date.

Sd./-

Date:- 25/10/2021.

(P.H.Nerkar)
2nd Jt. Civil Judge (Sr.Dn.),
Washim.

CERTIFICATE

I affirm that the contents of this PDF file Order are same word to word, as per original Order.

- 1) Name of Stenographer :- D. V. Daware, Clerk-Cum-Stenographer
- 2) Name of Court :- 2nd Jt. Civil Judge (S.D.), Washim.
- 3) Date of order :- 25.10.2021
- 4) Order signed by the :- 25.10.2021
presiding officer on
- 5) Order uploaded on :- 25.10.2021