



ORDER PASSED BELOW EXH.35 IN SPL.C.S.No.72/2022

(CNR No. MHWS02000744-2022)

Shila & Ors. ...Vrs.. Adityakumar & Ors.

This is an application filed by plaintiff as per Order VI Rule 17 of Civil Procedure Code for amendment in the plain filed by plaintiffs

2) Plaintiffs have contended that, in his application to the plaint typing mistake has been occurred in the plaint wherein name Nandkishor Badrinarayan Somani is shown, actually the name should be Nandkishor Laxminarayan Somani. Hence they prayed for amendment in their plaint.

3) On the other hand defendant has filed his say on the overleaf of the application and has opposed it. This application is not tenable and he prayed to reject it.

4) Heard advocate Shri. G. V. Biyani for plaintiff and Advocate Shri. A. S. Bakaliwal for defendant No.4 and 5 at considerable length. Perused record.

5) This suit is pending for framing the issues. By the proposed amendment the nature of the suit would not be changed. On the contrary the proposed amendment is necessary for the just decision of the case. Hence, I am of the opinion that the

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application deserves to be allowed. Accordingly, I pass the following order.

Order

1. Application is allowed.
2. Plaintiff is directed to carry out amendment in their plaint and supply to the copies of the amended plaint to this court and defendants till next date.
3. Concerned clerk shall take the note of amendment in suit register and in C.I.S.
4. Parties to the suit shall take note of this order.

Washim.
Date : 03/04/2024.

(M. T. Thaware)
2nd Jt. Civil Judge (Sr.Dn.),
Washim

CERTIFICATE

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

Name of the Stenographer :	B. V. Bhisade, Stenographer Grade-III,
Name of the Court :	Shri. M. T. Thaware 2 nd Jt. C.J.S.D.Washim,
Date :	03.04.2024
Order signed by the presiding officer on	: 06.04.2024
Order uploaded on	: 06.04.2024