

ORDER BELOW EXH.18 IN S.C.C. NO. 264/2023.

1] This is an application filed by the complainant to amend the complaint and thereby change in the constitution of bank. But accused strongly opposed the application by filing say.

2] It is contended in the application that, during the pendency of the complaint on 05/04/2025, Central Government notified that the Vidharbha Kokan Gramin Bank is amalgamated in Maharashtra Gramin Bank from 01/05/2025. Due to the amalgamation the complainant bank has reconstituted as Maharashtra Gramin Bank. Therefore, it is necessary to amend the complaint.

3] Read the application and say. Perused record. Heard learned advocate for complainant and accused.

4] There is a judgment of Hon'ble Apex Court in case of S.R. Sukumar Vs. S.Sunaad Raghurav reported in (2015) 9 SCC 609. The Hon'ble Apex Court held that- "if the amendment sought to be made relates to a simple infirmity which is curable by means of formal amendment and by allowing such amendment, no prejudice could be caused to the other side, notwithstanding the fact that there is no enabling provision in the Code for entertaining such amendment, the Code may permit such an amendment to be made. On the contrary, if the amendment sought to be made in the complaint does not relate either to a curable infirmity or the same cannot be corrected by a formal amendment or if there is likelihood of prejudice to the other side, then the court shall not allow such amendment in the complaint".

5] In the present case, the complainant has produced on record the notification issued by the Central Government on 05/04/2025. On perusal of the same, it appears that, the Vidarbha Kokan Gramin Bank is now amalgamated in Maharashtra Gramin Bank. Thus, in view of the amalgamation, the complainant bank has reconstituted as Maharashtra Gramin Bank. Therefore, the amendment sought is explanatory in nature. If the application allowed, it will not change the nature of the proceeding. By way of amendment any prejudice will not cause to the accused. Therefore, I proceed to pass following order.

ORDER

1. Application is allowed.
2. The complainant is directed to carryout the necessary amendment till next date and shall file copies of amended complaint.

Dated :- 01.01.2026

(Subhash D. Tare)
Judicial Magistrate First Class
Mangrulpir.

CERTIFICATE

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

Name of Court :- 2nd Jt. Civil Judge (Jr.Dn.) and J.M.F.C., Mangrulpir, Dist. Washim.

Presiding Officer :- Subhash D. Tare

Judgment uploaded by :- R.T. Sharma (Junior Clerk)

Date of Judgment :- 01.01.2026

Judgment/Order signed by the presiding officer on :- 01.01.2026

Judgment/Order uploaded on :- 01.01.2026