



ORDER BELOW EXH-37

1. The plaintiff has filed the instant application for amendment in para No.2 and 3 of the plaint.
2. It is contented that the plaintiff has filed the present suit for partition and separate possession of the suit property bearing Gat No.143 as shown in para 3 of the plaint. During the pendency of the present suit the government has acquired 0.7239 H.R. land for the purpose of Nagpur Mumbai Express Highway. Therefore, only 1H 62R land is available for the partition as the suit property. In that regard, the proposed amendment in para No.2 is necessary regarding the area of the suit property. Moreover, the plaintiff wants to add in para 3 words **‘which is the subject matter of the suit’** after the word **‘from his own income’**.
3. The say was invited by the defendants. Despite of the directions no say has been filed by the defendants till today. Hence, application is proceeded without say of the defendants.
4. After perusing the application, it appears that the suit is at the earliest stage. If the amendment is allowed to be made, no prejudice would be caused to the defendants. The proposed amendment is necessary for determining the real question in controversy. Hence, the application deserves to be allowed. Hence, following order.

ORDER

.. 2 ..

1. The application at Exh.37 is allowed.
2. The plaintiff shall carry out the necessary amendment within 14 days and furnish copy of amended plaint.

Date : 19/10/2024 Karanja (Lad).		(Supriya N. Pund) Jt.Civil Judge (Jr.Dn.), Karanja (Lad).
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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 Stenographer	:	D.V. Daware (Stenographer-III)
Court Name	:	Jt. Civil Judge (JD) & JMFC, Karanja.
Date	:	19-10-2024
Order signed by the Presiding Officer on	:	19-10-2024
Order uploaded on	:	19-10-2024