

MHWS110009472025



Spl.C.S. No. 56/2025

(Old Spl.C.S. No.12/2020)

Nanda Dhanraj Thakur & Ors. Vs.

Fulchand Babulal Karmvanshi & Ors.

ORDER PASSED BELOW EXH.31
(Passed On 27th July, 2026)

Present application has been filed by the defendant Nos.3 to 5 thereby praying for grant of permission to carry out the consequential amendment in the written statement filed by them.

2. Perused application, say of plaintiffs on the overleaf of present application. Also heard learned advocate for defendant Nos.3 to 5 and learned advocate for the plaintiffs at length.

3. Ld. advocate for defendant Nos.3 to 5 has submitted that as the plaintiffs amended their plaint by way of order dated 06.03.2023 below Exh.21 and by way of order dated 30.04.2024 below Exh.25 thereby incorporating pleadings in their plaint so the defendant Nos.3 to 5 also want to make consequential amendment in their written statement as described in the present application. It will not change the nature of their written statement. On the contrary, if this application is allowed, no prejudice will be caused to the plaintiffs. Hence, learned advocate for defendant Nos.3 to 5 has prayed for grant of this application.

4. On the contrary, learned advocate for plaintiffs has strongly objected this application on the ground that reason mentioned in the present application is not just and proper. Hence, learned advocate for plaintiffs has prayed for rejection of this application.

5. Following points arise for my determination, I have

recorded my findings thereon for the reasons discussed below.

Sr. No.	Points	Findings
1	Whether the proposed amendment deserves to be allowed?	.. In the affirmative.
2.	What order?	.. Application is allowed.

REASONS

As to point No.1 :-

6. I have perused record of the matter and also considered the submissions of learned advocates appearing for respective parties. It is pertinent to note here that by way of present application, defendant Nos.3 to 5 only want to make consequential amendment in their written statement as the plaintiffs have also made amendment in their plaint. Therefore, it is also necessary to permit the defendant Nos.3 to 5 to make consequential amendment in their written statement. In view of facts and circumstances of present suit, proposed amendment is necessary. Thus, I think it just and proper to allow the application. Hence, following order is passed.

ORDER

1. Application is allowed.
2. Defendant Nos.3 to 5 shall carry out the proposed amendment within stipulated period and shall file the copy of amended written statement till next date.

Date – 27/07/2026.

(S. W. Thombre)
Civil Judge, (Sr.Dn.),
Karanja (Lad).

CERTIFICATE

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

- 1) Name of Stenographer :- D. V. Daware (Stenographer Grade-III)
- 2) Name of Court :- Civil Judge (Sr.Dn.), Washim.
- 3) Date :- 27/07/2026
- 4) Order signed by the :- 27/07/2026
presiding officer on
- 5) Order uploaded on :- 27/07/2026