

ORDER BELOW EXH.22(Passed on this 04th day of September, 2023)

This is an application for amendment by the plaintiff it is contended that the sentence in para No.02 is incomplete and after the name Atmaram Masaji Kamble it has to be mentioned that said Atmaram Masaji Kamble “**has transferred the land in the name of plaintiff vide transfer deed dated 17.03.2006 and since then the property has been in the possession of the plaintiff**”. More so the name of the defendant No. 01 is Mahendra Jadhav but it is wrongly mentioned in plaint as Manohar Jadhav. I have called say of defendant. It is not disputed that the name of defendant is Mahendra and not Manohar. So far as the amendment in para No. 02 is concern. It appears that the sentence therein is incomplete, therefore, in order to give a clear meaning to the sentence the proposed amendment is necessary. More so it is required to be taken into account that the plaintiff has specifically contended in para No. 04 that the property was transferred by Aatmaram in favour of plaintiff vide transfer deed dated 17.03.2006. More so if the entire pleading of plaintiff is taken into account she has specifically contended that the property is in possession of the plaintiff. Therefore, in my opinion no prejudice will be caused to the defendant if the proposed amendment is allowed. Hence following order.

Order

- 1] Application is allowed.
- 2] Plaintiff to carry out the amendment forthwith.
- 3] Cost in cause.

Date: 04/09/2023

(N.G.Vyas)
Jt.Civil Judge (Jr Dn.)Pusad