

MHTH240013582023**EXH.92 IN SPL.C.S.NO.208/2023****ORDER BELOW EXH.92**

(19.03.2025)

The plaintiff has filed the present application for carrying out amendment as per Order VI Rule 17 of the Code of Civil Procedure in the plaint in prayer clause B i.e. the plaintiff would like to delete the date 26.03.2012 and want to add the date 27.03.2012, likewise, the plaintiff would like to delete the word 'executed' and want to add the word 'registered'. The plaintiff has averred that inadvertently the above said mistake is occurred while carrying out the amendment as per the order vide Exh.72. Hence, the amendment application.

2] Defendant Nos.1 to 3 have filed their handwritten say on the application and combated the same.

3] Heard, both the sides. The court will consider the amendment application on merit for other defendants.

4] Considering the amendment application of the plaintiff vide Exh.92, handwritten say filed by defendant Nos.1 to 3. The Court has gone through the record and proceeding of the matter and after hearing both the sides, this court think it proper to allow the amendment application filed by the plaintiff as per the averments made in the application. If the amendment application is allowed then no prejudice

will be caused to the defendants. On the contrary, it will help the Court to adjudicate the suit on merit. Further, the defendants will get an opportunity to file their amended written statement as per the amendment in the plaint. In the result, the amendment application of the plaintiff vide Exh.92 is allowed. Hence, the court pass the following order.

ORDER

1. The amendment application filed by the plaintiff vide Exh.92 is allowed.
2. The plaintiff is directed to carry out the amendment in the plaint as per Exh.92 and furnish amended copy within stipulated period as per rule.
3. Both the parties to note the order.
4. Costs in cause.

Date : 19.03.2025.

(G. J. Shrisunder)
Civil Judge Senior Division,
Vasai.

CERTIFICATE

I hereby certify that the contents of the PDF file are same word to word as per original order:

Name of Steno : Mr. S. B. Rawool, Stenographer, Grade-II.
Court's Name : Civil Judge Senior Division, Vasai.
Date : 19.03.2025.
Dictated on : 19.03.2025.
Transcribed on : 19.03.2025.
Signed by P.O. on : 19.03.2025.
Uploaded on : 19.03.2025.