

Baljit Kaur Vs Tejinder Singh & Ors. CS-581-2014.

Present:- Shri Ranjit Singh Adv, counsel for plaintiff.
Shri Rajinder Singh Adv, counsel for defendant No.2A.
Shri Pritpal Singh Adv, counsel for defendant No.3.
Defendant No.3 died.
Defendants No.1, 2, 5, 6, 7 & 2-B exparte.

Heard on application filed by the plaintiff under Order 6 Rule 17 CPC seeking amendment regarding the mutation No.1689 dated 28.12.1999 but inadvertently, due to typographical mistake said mutation number has been wrongly mentioned as 1639 and the same is liable to be amended. Accordingly, the sought amendment is very much necessary for the just and proper decision of the case. Hence, this application.

2- On the other hand, the defendants have opposed the application and prayed for dismissal of the same.

3- I have heard the Counsel for the parties and have gone through the record. The plaintiff by way of present application, is seeking amendment in the plaint on the ground that inadvertently, the mutation number has been wrongly mentioned as 1639 instead of 1689. Clearly, the sought amendment is very much necessary just for proper adjudication of the matter in hand. Moreover, no jeopardy is going to occur to the defendants, in case the present application is allowed. Accordingly, in the interest of justice and for fair adjudication of the matter in hand, the instant application is hereby allowed, subject to payment of costs of Rs.1,000/- to be deposited by the plaintiff in Free Legal Aid.

4- Now to come up on 27.10.2022 for payment of costs, filing amended plaint and for leading evidence by the plaintiff.

Pronounced in open Court.

Dated 03.10.2022.
Jaswinder Singh, JW-II.

Amandeep Kaur, PCS,
Addl. Civil Judge (Sr. Division),
Sunam, UID No.PB0307.