

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9451 OF 2013  
(Arising out of SLP(C) No.17896/2012)

SRI U.R. PATIL Appellant(s)  
:VERSUS:  
B.G. NAGESH & ORS. Respondent(s)  
WITH  
CIVIL APPEAL NO. 9452 OF 2013  
(Arising out of SLP(C) No.17975/2012)

O R D E R

Leave granted.

Heard the learned counsel for the parties. All that the appellants are seeking is to amend the plaint in the suit filed by them. Mr. Chandrashekhar, learned counsel appearing for the respondents points out that the amendment of the plaint changes the nature of the suit and the very basis of the original prayer. He submits that the High Court was right in rejecting the prayer for amendment. Even so, having heard the learned counsel for the parties, we are of the view that the amendment sought by the appellants deserves to be granted for deciding the dispute between the parties in the entirety. In the circumstances, we allow these appeals, set aside the orders passed by the High Court as well as the Court below. The amendment as prayed for is accordingly granted. An additional written statement is therefore permitted. Both the parties will have the liberty to file additional documents and to raise their contentions before the Trial Court.

(H.L. GOKHALE)

.....J

.....J  
(J. CHELAMESWAR)

New Delhi;  
October 21, 2013.

ITEM NO.53

COURT NO.11

SECTION IVA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).17896/2012

(From the judgement and order dated 22/03/2012 in WP No.9013/2012 of the  
HIGH COURT OF KARNATAKA AT BANGALORE)

SRI U.R. PATIL

Petitioner(s)

VERSUS

B.G. NAGESH & ORS.

Respondent(s)

(With prayer for interim relief and office report)

WITH

SLP(C) NO. 17975 of 2012

(With appln(s) for permission to file addl. documents and with prayer for  
interim relief)

Date:21/10/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE  
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s)

Mr. J.C. Gupta, Sr. Adv.  
Mr. Anurag Tomar, Adv.  
Mr. B. Vishwanath Bhandarkar, Adv.  
Mr. M.N. Uma Shankar, Adv.  
Mr. Naresh Kumar, Adv.  
Mr. Dharam Singh, Adv.

For Respondent(s)

Mr. G.V. Chandrashekar, Adv.  
For Ms. Anjana Chandrashekar, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.  
Heard the learned counsel for the parties.

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The appeals are allowed, the orders passed by the High Court as well as the Court below are set aside and the amendment of the plaint is granted in terms of the signed order.

(A.S. BISHT)  
COURT MASTER

(SNEH LATA SHARMA)  
COURT MASTER

(Signed order is placed on the file)