



CNR: KAHC010069942026

NC: 2026:KHC:48242
WP No. 3550 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 3550 OF 2026 (GM-CPC)

BETWEEN:

1. SRI. BHEEMAPPA,
S/O LATE CHIKKA NARAYANAPPA,
AGED ABOUT 63 YEARS,
R/AT THIMMANAHALLI VILLAGE,
NANDI HOBLI, CHIKKABALLAPUR TALUK,
PIN.562101.

...PETITIONER

(BY SRI. RAMAKRISHNAIAH V., ADVOCATE)

AND:

1. SRI. NAGAPPA
S/O LATE CHIKKA NARAYANAPPA
AGED ABOUT 65 YEARS
R/O THIMMANAHALLI VILLAGE
NANDI HOBLI,
CHIKKABALLAPUR TALUK-562101.

...RESPONDENT

(BY SRI. BALAKRISHNA SHASTRY G., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 12.01.2026 ON IA NO.2 FILED BY THE RESPONDENT/PLAINTIFF IN OS NO.455/2025 PASSED BY THE 1ST ADDL. SENIOR CIVIL JUDGE AND JMFC, CHIKKABALLAPURA VIDE ANNEXURE-F AND ETC.

Digitally
signed by
VINUTHA B S
Location:
High Court of
Karnataka



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THIS PETITION, COMING ON FOR ORDERS THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

Heard Sri.Ramakrishnaiah V., learned counsel for the petitioner and Sri. Balakrishna Shastry G., learned counsel for the respondent.

2. This petition is filed by the defendant impugning the order dated 12.01.2026, whereby the application filed under Order VI Rule 17 r/w Section 151 of the Code of Civil Procedure, 1908 (for short, 'CPC') has been allowed, permitting the plaintiff in O.S. No.455/2025 to amend the plaint, including the prayer and the schedule.

3. Learned counsel for the petitioner submits that, under the guise of amendment, the suit has been completely altered on the basis of the written statement filed. It is submitted that the nature of the amendment gives rise to a different cause of action and alters the nature of the suit.

4. Per contra, learned counsel appearing for the respondent submits that, though the prayer in the application is



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to add and delete certain pleadings, as well as to amend the prayer column and the schedule items, the extent mentioned in the schedule has been reduced, and the other amendments are only intended to bring clarity to the description of the prayers and the relevant pleadings.

5. Considered the submissions made by learned counsel for the parties.

6. Considering the prayer made in the suit and the amendment permitted by the trial Court, it is evident that the amendment is confined to correction of the dates. Insofar as the prayer column is concerned, the amendment is only intended to bring clarity to the relief sought; however, the relief continues to relate to the suit schedule property. Insofar as the amendment to the suit schedule is concerned, the plaint originally sought relief in respect of an extent of 12.04 guntas, which has now been restricted to 2-08 guntas.

7. The trial Court, having rightly considered the necessity of the amendment and being satisfied that no prejudice would be caused to the respondent, has allowed the



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amendment. This Court, having regard to the nature of the amendment and the stage of the suit, is of the considered view that the order permitting the amendment, particularly when the same was allowed before commencement of recording of evidence of the parties, is justified. No ground is made out to interfere with the impugned order.

8. Accordingly, the petition stands dismissed.

**Sd/-
(K. V. ARAVIND)
JUDGE**

VBS
List No.: 1 SI No.: 23