

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1627 of 2019

ORDER:

This civil revision petition is filed under Article 227 of the Constitution of India, by the petitioner-defendant, aggrieved by the order dated 22.02.2019 passed in I.A.No.1211 of 2018 in O.S.No.570 of 2017 by the Principal Junior Civil Judge, Ranga Reddy District, wherein the subject amendment application filed by the respondents/plaintiffs to substitute the words 'apart from regular rent' for the words 'rent and' at page No.6 in (c) part in 2<sup>nd</sup> line after the sentence towards 'rent and' and in 3<sup>rd</sup> line after the sentence at possession 'apart from regular rents', was allowed.

2. Heard the learned counsel for the revision petitioner and perused the record.

3. Learned counsel for the revision petitioner would submit that the change of words would substantially alter the relief sought by the respondents-plaintiffs, which is not permissible under law and ultimately prayed to set aside the impugned order.

4. The material placed on record would reveal that a typographical mistake occurred during preparation of the plaint. Therefore, having noticed the same, the respondents/plaintiffs sought the amendment as indicated above. The amendment application was filed immediately after noticing the discrepancy. The relief sought by the respondents-plaintiffs is required to be

established by adducing cogent and convincing evidence. Mere amendment would not entitle the respondents/plaintiffs for granting the relief sought for. The amendment sought would not alter the nature of the suit nor give rise to a different cause of action. Therefore, there is justification on the part of Court below in allowing the amendment application. The Court below neither exceeded its jurisdiction nor committed any illegality in passing the impugned order. The civil revision petition is devoid of merit and is liable to be dismissed.

5. Accordingly, the civil revision petition is dismissed at the admission stage. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

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Dr. SHAMEEM AKTHER, J

Date: 16.09.2019  
grk

