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A.No.1058 of 2023
in A.No.1307 of 2022 in C.S. No.137 of 2011

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R.N.MANJULA, J.

This application is filed by the plaintiff to amend the application in A.No.1037 of 2022 which have been already filed for amending the plaint.

2. It is submitted by the learned counsel for the applicant that in the amendment application filed in A.No.1307 of 2022 he needs to include some more reliefs and hence it necessitated him to file the application to amend the plaint. However in the present application it is alleged that he came to know about a Will and in that regard he needs to make some more submission and hence he should be allowed to carry out those amendments in A.No.1307 of 2022.

3. However the learned counsel for the respondents 1-3 submitted that the claim now made by the plaintiffs by way of inserting the particulars as stated in A.No.1058 of 2023 is completely in contradiction to his earlier submission in the suit in respect of the antecedents of the suit properties; all those facts can be raised by the defendants by way of filing additional written



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statement in the event of allowing the main application in A.No.1307 of 2022.

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4. In order to consolidate the submission of the applicant in the application filed by him to amend the plaint, I feel the present application to amend the amendment application in A.No.1508 of 2023 should be allowed. By allowing this application no prejudice will be caused to the defendants. As stated already the defendants are at liberty to file additional written statement, if any, in the event of allowing the main amendment application in A.No.1307/2022.

5. In view of the above stated reasons, this application is allowed.

06.04.2023

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