



A.No.1538 of 2023 in
C.S.No.869 of 2017

R.N.MANJULA, J.

The applicant is the plaintiff. She has filed this application to amend the plaint so as to include the alternate prayer to include the refund of the sale amount as alleged by her in the plaint and paid by her.

2. The learned counsels for D1 & D2 have submitted that the amendment cannot be allowed because it is barred by limitation and there are certain Arbitration proceedings pending for recovery of the amount etc.

3. The application has been filed to amend the plaint so as to seek an alternate relief of refund of the sale amount. Even in the event of allowing this application and the plaint is amended, no prejudice would be caused to the respondents / defendants and they are at liberty to file an additional written statement. During that course, it is open to the respondents to raise the submissions made by them before this Court in the additional written statement.

4. With these observations, this application is allowed. The learned counsel for the applicant is directed to carryout the necessary amendment and file an amended copy of the plaint.

06.04.2023

gsk



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