**AFFIDAVIT**

IN THE HIGH COURT OF THE....................

LA. No..................... of 19....................

Suit No..................... of 19........................................

C. F.................................................. Plaintiff/Applicant

*versus*

CD............................................................... Defendant

I,.................... s/o..................... aged about.................... years, r/o.................... do hereby solemnly affirm and declare as under:

1. That I am the plaintiff in the abovesaid suit and am fully conversant with the facts of the same.

2. That I have read and fully understood contents of the accompanying application u/o 6, Rule 17 read with section 151 C. P. C. for amendment of the plaint, which has been drafted by my advocate under my instruction and I say that the same are true to my knowledge

Deponent

**VERIFICATION**

Verified at.................... on this the.................... day of.................... that contents of my above affidavit are true and correct to my knowledge and that nothing has been concealed therefrom.

Deponent

**CASE LAW**

***Order 6 Rule 17.***

It is well recognised that where the amendment does not constitute the addition of a new cause of action or raise a different case but amounts to no more than a different or additional approach to the same facts, the amendments will be allowed even after the expiry of the statutory period1.

*Order 6 Rule 17 C. P. C.*

**AMENDMENT OF PLAINT.**

The amendment in a plaint dates back to the filing of the suit2.

**AMENDMENTS OF PLEADINGS.**

***Order 6, Rule 17***

All amendments of the pleadings should be allowed which are necessary for determination of the real controversies in the suit provided the proposed amendment does not alter or substitute a new cause of action on the basis of which the original lis was raised or defence taken.3

**AMENDMENT RELATING TO EVENTS OCCURRED SUBSEQUENT TO FILING OF SUIT.**

***Order 6 Rule 17***

The amendment relating to events which occurred subsequent to filing of suit could be allowed.4

**AMENDMENT IN PLEADINGS**

***Order 6 Rule 17***

Amendments are allowed in the pleadings to avoid uncalled for multiplicity of litigation.5

**AMENDMENT OF PLAINT**

***Order 6 Rule 17***

An amendment of plaint should be generally allowed where nature of suit is not altered provided it does not cause prejudice or surprise to the opposite party.6

1. J. C. Rudrasharma v. H. K. Subramanyam, 1996(2) C. C. C. 358 (Kant. )

2. Ganesh Prasad v. Jang Jeet Singh, 1996(2) C. C. C. 263 (All. ).

3. B. K. N. Pillai v. P. Pillai, AIR 2000 SC 614.

4. Tertuliano Renato de Silva v. Francisco Lourenco Betten court de silva, 2000 (3) CCC 1 (Bom.).

5. Raju Thilak D. John v. S. Rayappan, 2001 (1) CCC 109 (SC).

6. Anita Singh Chauhan v. Kedar Nath, 2000 (1) CCC 1 (Delhi).