

**In the Court of the Sub Judge-II, Benipur**

*Present:- Pranav Kumar Bharti*

**Title Suit No.-52 of 2016, Registration No.-64/16**

*Chandra Mohan Jha vs. The State of Bihar*

**07-04-2022**

Case is called out and record is produced before me. Both plaintiff and defendant are absent. Do proper pairvi. On perusal of the case record, it appears that this instant suit has been pending for order on petitions dated- 27.09.2019 filed on behalf of the Plaintiff, U/O-VI, Rule- 16 & 17 and u/s-151 of the Civil Procedure Code herein after referred as the C.P.C. In this petition, it is submitted that due to clerical mistake of scribe, some khata and khesra are left to written which requires to be amended. These amendment are formal in nature and the trial of the suit has not begun as yet, hence the learned Court be pleased to allow the amendment petition and accord the permission to the plaintiff to amend the plaint in the interest of justice.

No rejoinder petition has been filed on behalf of the Defendant, the State of Bihar on petition dated- 27.09.2019.

Heard the learned counsel of the plaintiff, but nobody appeared on behalf of the defendant for hearing. On hearing and perusal of the case record, it appears that a petition u/o-VI, Rule- 16 & 17 and u/s-151 of the C.P.C. has been filed on behalf of the plaintiff on 27.09.2019. In this petition, submission of the plaintiff is that due to clerical mistake of scribe, some khata and khesra are left to be written which requires to be amended. These amendment are formal in nature and trial has not begun as evident from perusal of the case record. The proposed amendment will not change the nature of this case.

continue.....

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continued.....

Thus,petition U/O-VI,Rule-17 and u/s-151 of the C.P.C. dated-27.09.2019 filed on behalf of the plaintiff is allowed. Learned counsel of the plaintiff is directed to amend the plaint accordingly within 20 days. Further, defendant, the state of Bihar may file additional W.S. if they want within 15 days of such amendment.

Fixing on ....16-4-22..... for amendment in plaint.

**Dictated**

  
**Sub Judge-II**