

THE COURT OF DISTRICT JUDGE-VIII, KAIMUR AT BHABHUA

Incharge P.O-Dr. Arun Tiwari

Title Appeal No.-38/2022

Date of Order	Order with signature of the Judge	Office action taken on Order, if any, with Date
1	2	3
01-05-2025	The case is fixed for order. Ld. Advocate for the appellants and respondents have file their pairvi. <u>Order</u> Ld. Advocate for the respondents have filed a petition dated 30.10.2024 under order VI rule 17 of C.P.C. stating that due to typing error at the last page of plaint in mMauza-Bahapura, Thana No.-351, Thana-Ramgarh, District-Kaimur (Bhabua) under Khata No.-16, the Plot No.-212 has been wrongly mentioned but the actual plot No. is 211. Ld. Advocate further stated that the proposed amendment is formal in nature and does not alter the nature and also does not prejudice the parties. Ld advocate has prayed that the petition be allowed in the ends of justice. Ld advocate for the appellants has filed rejoinder on 13.02.2025 stating that the petition dated 30.10.2024 is illegal and not maintainable. Ld advocate has stated that the judgment and decree has been passed in the original title suit No.-215/2005 and the appellant is purchaser of land from Sitaram Pandey and the aforesaid sale deed was not challenged. Ld advocate has stated that the petition is malafide and, therefore, liable to be rejected. Heard Ld advocate for both the parties and after perusal of record, it is transpired that the petition dated 30-10-2024 regarding amendment under order 6 rule 17 which regard to change of plot no. 211 instead of plot no-212 in the plaint which appears to be clerical mistake. Therefore, the petition dated 30.10.2024 filed by the respondents is hereby allowed for the ends of justice. Put for hearing on..... Dictated sd/- I/c D.J.-VIII, Kaimur at Bhabua	