

Court of Sub-Judge I, Lakhisarai

TS 08/2020

23-08-2023

Plaintiff has filed pairvi. Record is put up for order on petition dated 20-04-2023 U/O 6 R 17 r/w sec. 151 C.P.C. Case was called out.

ORDER

Pressing the petition dated 20-04-2023 U/O 6 R 17 r/w sec. 151 C.P.C. learned counsel for the plaintiff has submitted that due to over sight and typing mistake, some mistakes have crept in the plaints which required correction/amendment. The amendment is form in nature and neither it will change the nature of the suit nor will prejudice interest of Dependants in any manner what so ever and correction/amendment is as such Amendment sought for learned counsel for the plaintiff has submitted that in the shedule I of the plaint, in the area coulumn 31 $\frac{1}{8}$ dismil is typed in stead of 3 $\frac{1}{8}$ dismil while in the palint 1 kattha is mentioned, So, It is clear that this is a typing mistake. At last he has prayed that petition be allowed in interest of justice. .

This court has heard the submissions of plaintiff and gone through materials available on the case record. It transpires that the instant case record is pending for adducing witness by plaintiff. In the area coulumn, 31 $\frac{1}{8}$ equivalent to 1 Kattha is written. It seems that it is a typing mistake. Suit proceeds exparty. No one present on behalf of the defendant. Suit is pending for witness of plaintiff. The amendment sought by plaintiff is formal in nature and do not change the nature of the case. Further the application of plaintiff is supported with affidavit. As such the petition of plaintiff dated 20-04-2023 U/O 6 R 17 r/w sec. 151 C.P.C. is hereby allowed. The plaintiff is directed to amend the plaint within 14 days from the date of passing of this order.

Put up on ~~12-9-23~~-----for next proceeding.

Dictated
Lakhisarai