

IN THE COURT OF PRINCIPAL DISTRICT JUDGE, PATNA

TITLE APPEAL CASE No.47 OF 2025

Raj Kumar Prasad & Ors.

Appellants

Vs.

Radhe Shyam & Ors.

Respondents

**Order
No.**

Date

O R D E R

10 27-04-2026

Heard.

Learned Counsel for the appellants filed a petition dated 22.01.2026 under Order VI Rule 17 of the Code of Civil Procedure, 1908 for correction of following facts in the present memo of appeal, which are as follows:-

- i. Alias name Raj Kumar be added in the name of appellant No.1 Raj Kumar Prasad.
- ii. In the respondent at Sl. No.3 in 3rd line after daughter word "in law" may be added.
- iii. In the respondent at Sl. No.42 instead of 39 to 41 "40 to 42" be substituted and 39 to 41 be deleted as well as after sons of Late Moti Lal Bhagat "Nand Kumar" be substituted and Moti Lal Bhagat be deleted. Party position Plaintiff (i) ka to (iv) ka/Respondent 8th set be added.
- iv. In the aggrieved portion after judgment dated 30.06.2025 "and Decree dated 14.07.2025" be added as the appellant had applied for obtaining the certified copy of decree on 02.07.2025 but the same was supplied on 15.12.2025 after filing of the instant appeal when the decree was not prepared by the learned Court below. In the prayer portion 9th line after the judgment dated 30.06.2025 "and Decree dated 14.07.2025" be added.
- v. In the grounds at Column-(xv) 4th line instead of DW-23, "DW-17" be substituted and DW-23 be deleted. At page 10, 1st line and 2nd line be removed and the facts be added as :-

"witness on behalf of defendant No.1 to 6 who has deposed that at the time of execution of deed of gift the age of his father Ram Lakhan Rai was 60 year and he was aged about 50 years. Further he deposed that Ext-A/4 was not made in his presence and further at page No.1 of deed of Gift writing and signature was not made in his presence though accepted that in column nature of deed Gulabchand

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**Contd.....
(27.04.2026)**

put his signature therefore can not be accepted as reliable witness.”

- vi. Further after column XV in the grounds XV A be added as per below:-

“The learned Court below has failed to appreciate the evidence of DW-19 on behalf of the defendant No.1 to 6 who has admitted that Gulabchand Prasad was ill and he went to Vellore (Tamil Nadu) and doctors had also come to his house and gave some prescription for his treatment.”

Accordingly, prayed to allow the present petition.

Perused the record and the petition for amendment. From perusal of the plaint of the record, it appears that the amendment sought for will not change the nature of this title appeal case. The same will not prejudice the other side.

Having considered the facts mentioned in the amendment petition and in the interest of justice, the amendment petition is **allowed**. Learned Counsel for the appellants is directed to carry out the necessary amendments with the assistance of Office Clerk.

Put up this case on 01.06.2026 for further proceedings.

(Dictated)

Sd/-

(Rupesh Deo)

**Principal District Judge,
Patna.**