

In the Court of Manvendra Singh, Munsif , Narkatiaganj

Title Suit No. 114/1999

CIS No.-TS 202/2019

Om Prakash Arya.....Plaintiff

V/S

Husn Bano & Others.....Defendants

| <u>DATE</u> | <u>ORDER</u> | <u>REMARKS</u> |
|--------------------|---|-----------------------|
| 27.05.2026 | <p>Both parties filed their attendances. A petition dated 19-03-2025 has been filed on behalf of the plaintiff under Order 06 Rule 17 of CPC which is presented for hearing today on 27-05-2026.</p> <p>Learned counsel of the plaintiff prayed that in the above noted case, while the preparation of final argument, it has come into light, that some wrong have been committed in the plaint, requiring to be cured, causing no prejudice to defendants. The proposed amendment is based on a public document like as khatiyana, showing the suit plot as "gairmajarua malik", but wrongly mentioned in the plaint, as of "Bakast Bettiah Raj." The proposed amendment is very simple in nature. If the proposed amendment is not allowed, the plaintiff shall be deprived of his legal right and right to property, hence the amendment petition. It is therefore prayed that be pleased enough to allow the amendments as per petition in the interest of justice.</p> <p>A rejoinder has been filed by the defendants against the petition of plaintiff and prayed that the petition under reference is not maintainable either in law or on facts. The present case is coming on for final argument for</p> | |

In the Court of Manvendra Singh, Munsif , Narkatiaganj

Title Suit No. 114/1999

CIS No.-TS 202/2019

Om Prakash Arya.....Plaintiff

V/S

Husn Bano & Others.....Defendants

| | | |
|--|---|--|
| <p>Continue 27.05.2026</p> | <p>last several years where the defendants have already completed their final argument but the plaintiff instead of making argument coming on filing petitions one after another with an intent to delay the proceeding of the case and causing unnecessary delay in disposal of this case. Now the plaintiff has filed the petition under reference for making amendment in the plaint stating that in the plaint it is wrongly stated that the suit land is "Bakast Bettiah Raj" in place of "Garmajarua Malik" land. In the petition nowhere it is stated by the plaintiff about any reason for not knowing the actual nature of the suit land for such a long period and now at its final stage of the suit he sought such amendment that can not be allowed in any view of the matter. It is therefore, prayed to reject the petition under reference with cost.</p> <p>Heard both parties and perused the record. From perusal of the record it appears that the record is fixed for hearing. Plaintiff has filed a petition dated 19-03-2025 and prayed to allow amendment as per petition. From perusal of the record it appears that the petition of the plaintiff is formal in nature and it does not appear to have any adverse effect on the nature of the suit. The supreme Court in (Life Insurance Corporation of India V. Sanjeev Builders</p> | |
|--|---|--|

In the Court of Manvendra Singh, Munsif , Narkatiaganj

Title Suit No. 114/1999

CIS No.-TS 202/2019

Om Prakash Arya.....Plaintiff

V/S

Husn Bano & Others.....Defendants

| | | |
|--------------------------------|--|--|
| Continue 27.05.2026 | Private Limited and another, AIR 2022 SC 4256) Amendment may be justifiably allowed where it is intended to rectify the absence of material particulars in the plaint. Therefore, in the interest of justice, the petition of the plaintiff dated 19.03.2025 is hereby allowed and the learned counsel for the plaintiff is directed to amend in the suit within the time limit. Put up on 10-06-2026 for further proceeding. Dictated Munsif Narkatiyaganj | |
|--------------------------------|--|--|