

**In the Court of Sukul Ram, Sub-Judge-I Cum ACJM, Narkatiaganj**

**Partition Suit No. 75/1997**

**CIS NO.- PS 168/2018**

**Ranendra Kishore @ Gulab Babu.....Plaintiff  
V/S**

**Kirpendra Kishore & Others.....Defendants**

<u>DATE</u>	<u>ORDER</u>	<u>REMARKS</u>
24.01.2026	<p>Both parties file their attendances. A petition dated 30.05.2025 has been filed on behalf of the plaintiff under order 06 rule 17 of C.P.C. and rejoinder of this petition filed by defendant no. 4 on dated 11-12-2025. The petition of the plaintiff dated 30-05-2025 is fixed for order today.</p> <p>Learned counsel of the Plaintiff prayed that the above suit has been filed by the plaintiff for a decree of partition but by mistake the genealogical table of the family is left to mention in the plaint. It is also better to disclose that the share of the parties is also required to be change, because the same is not correct as given in plaint. So it also required to be amend through this proposed amendment. Both the proposed amendments are formal and it will not change the nature of the suit nor it will prejudice to the other side. It is therefore prayed that be pleased enough to allow the plaintiff to amend the plaint as per petition.</p> <p>A rejoinder has been filed by defendant no. 4 and stated that the petition as filed by the plaintiff is not maintainable either in eyes of law or on facts. The plaintiff earlier to the petition of amendment have filed a amendment petition to this effect and same has been not pressed and thereafter the present petition have been filed. The plaintiff wants</p>	

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<p><b>Continue 24.01.2026</b></p>	<p>to introduce the G.T. of Ganesh Mahto in the last of plaint. The plaintiff wants to amend the quantum of share there is no any basis and explanation in the amendment petition and thus the amendment petition is quite obscure and thus liable to be rejected. In the above said facts and circumstances the plaintiff is not entitled any type of amendment in plaint. It is therefore prayed that be pleased to reject the petition of the plaintiff.</p> <p>Heard both parties and perused the record. From perusal of the record it transpires that plaintiff filed a petition under order 06 rule 17 of C.P.C and prayed to allow the amendment as per petition. Defendant no. 4 filed a rejoinder dated 11-02-2025 and stated that the petition as filed by the Plaintiff is not maintainable either in eyes of law or on facts. It is a well established law that all the necessary amendment related to the suit should be allowed. Amendments of the Plaintiff are simple in nature and related to the suit. Therefore, in the interest of justice the Petition of the plaintiff dated 30-05-2025 is hereby allowed at a cost of Rs. 1500/- and it is directed to the plaintiff, within the time limit amend in the suit.</p> <p>Put up on 03-02-2026 for hearing.</p> <p style="text-align: right;">Dictated</p> <p style="text-align: right;">Sub-Judge-I Narkatiaganj</p>	
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