

IN THE COURT OF SUBORDINATE JUDGE, ERANIEL.

**Present : Thiru. R. Karl Marx, B.L.,
Subordinate Judge, Eraniel.**

Friday, the 17th day of July 2026

**I.A.No.4/2026
in
O.S.No. 64/2024**

Paulose Rajan

.... Petitioner/defendant

.Vs.

Indian Overseas Bank,
Kallukootam Branch, rep. by
The Branch Manager

.... Respondent/Plaintiff

This petition is came up on today (17.07.2026) for final hearing in the presence of Thiru. T. Aruldas Counsel for Petitioner/defendant and Thiru. T.K. Raja Mohanan Counsel for respondent and upon hearing the arguments of both sides and upon perusing the records and having stood over for my consideration till this day, this court delivers the following:

ORDER

Petition filed by Petitioner/defendant to amend the written statement under Order 6 Rule 17 and section 151 C.P.C.

Both side counsel present. Both side heard. Passed over for orders.

2. Point for consideration:

Whether the petition is to be allowed or not?

Answer to the point:

3. The above petition has been filed by the defendant, to amend the written statement, that is the defendant has stated in the written statement that the loan amount was Rs.4,50,000/- instead of Rs.4,75,000/-, and it was wrongly mentioned in the written statement. The learned counsel for the respondent, made an endorsement that no counter.

4. On perusal of the entire records, it is found that the defendant has stated in the written statement, that the loan amount was Rs.4,50,000/- instead of Rs.4,75,000/-, and the above statement was made wrongly, and it was not disputed by the counsel for the plaintiff. The stage is for defendant side evidence, already both parties have contested the suit and the plaintiff has let in evidence. As per Order V1 Rule 17, amendment shall be filed before trial, but the present petition has been filed by the defendant, after full Trial, it is clear from the above provision, after Trial amendment petition should have a strong reason.

5. The only reason stated by the petitioner is that it was wrongly mentioned, it is not a strong reason for allowing the petition, but the learned counsel for the respondent stated that no counter.

6. Considering the endorsement, as well as the nature of amendment, this Court of the considered view, that the opportunity must given to the parties to contest their case on merits and in the interest of justice, this petition is liable to be allowed.

In the result this petition is allowed. No costs.

Pronounced by me in open court on this the 17th day of July, 2026.

Subordinate Judge,
Eraniel.