

**Title Suit 43 of 2007 (CIS 257 / 2014)**

**Order No. 150 Dated:13.06.2024**

Today is fixed for hearing of the petition under 6 Rule 17 of CPC.

Both parties filed hazira.

Plaintiff filed one petition u/S 151 C.P.C.

The record is taken up for hearing.

Ld. Advocate for the plaintiff submitted that the 'A' schedule which was mentioned in the original plaint was mistakenly not mentioned in the new amended plaint, moreover there is a typographical error in the dag number of the 'A' schedule mentioned in the original plaint. It is merely a typographical error and not intentional. If it is not corrected then the real controversy in dispute will not be determined. This amendment will not change the nature, character and cause of action of the suit. The amendment proposed is formal in nature.

Hence the plaintiff prays for amendment of the plaint as per the schedule mentioned in the petition.

Ld. Advocate of the defendants raise no objection and gave consent for allowing the petition.

After perusal of the record and the petition it is seen that the proposed amendment is very much formal in nature and if it is incorporated it will not change the nature and character of the suit.

Thus, considering the nature of the amendment, and to determine the real question in controversy between the parties and also for the ends of justice the amendment sought for should be allowed. So, this Court is inclined to allow the amendment of the plaint as per the schedule mentioned in the petition.

Hence, it is

**ORDERED**

that the petition U/O 6 Rule 17 be and the same is hereby allowed and disposed of on contest without any cost. The plaintiff is allowed to amend the plaint as per the schedule of the present petition. The plaintiff is also directed to file the amended plaint within 14 days accordingly.

To 29.06.2024 for filing of the amended plaint.

**Dictated & corrected by me**

CJ

**Civil Judge (Jr.Div.)  
Amta, Howrah**