

22.01.2026
Item No.04
BR

CO 4291 of 2025
Ujjal Saha @ Uttam Saha
-vs-

Minakshi Dutta and another

Mr. Debjit Mukherjee ,
Mr. K. Bhattacharyya,
Ms. Priyanka Jana
... for the petitioner

1. The civil revision has been preferred challenging the order No. 43 dated 14.11.2025 passed by the learned Civil Judge (Senior Division), Serampore in Title Suit No. 375 of 2016.
2. Learned counsel appearing for the petitioner submits that by the impugned order the plaintiff/opposite party's prayer for amendment of the plaint was allowed.
3. On the other hand, defendant/opposite parties prayer for amendment of the written statement was rejected considering the stage was filed.
4. It is submitted by the learned counsel for the petitioner, that the

prayer for amendment of the plaint has been allowed by the trial Court after plaintiff's evidence has been completed i.e. at the trial stage.

5. On hearing the learned counsel appearing for the petitioner and considering the materials on record, it appears that the plaintiff at the stage when the trial had already commenced prayed for amendment stating that a typographical error has occurred during drafting that is, schedule 'A' to the plaint is to be read as schedule "Ka'.
6. This Court fails to understand as to what is the relevancy and necessity of such amendment as prayed for, when the trial had already commenced.
7. As such, the petitioner herein having made out a prima facie case for hearing, the civil revision is required to be heard.
8. Accordingly, petitioner to serve upon the opposite party and file affidavit of service on the next date of hearing.
9. Pending hearing, proceeding before the trial Court in Title Suit No. 375 of 2016 be stayed till 30th

March, 2026 or until further order
whichever is earlier.

10. Matter be listed before the
Regular Bench in due course.

(Shampa Dutt (Paul), J.)