

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.1647 of 2019**

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Bechan Jha son of late Negar Jha resident of Village- Hainthibali, P.S.-  
Bhairabasthan, District- Madhubani.

... .. Appellant/s

Versus

1. Kaushalya Devi Wife of Molhu Mukhiya resident of Village- Hainthibali,  
P.S.- Bhairabasthan, District- Madhubani.
2. Sunita Devi daughter of Molhu Mukhiya resident of Village- Hainthibali,  
P.S.- Bhairabasthan, District- Madhubani.
3. Ram Lakhan Mukhiya son of Telai Mukhiya resident of Village- Hainthibali,  
P.S.- Bhairabasthan, District- Madhubani.
4. Sonai Mukhiya son of late Molhu Mukhiya resident of Village- Hainthibali,  
P.S.- Bhairabasthan, District- Madhubani.
5. Lakshman Mukhiya son of late Molhu Mukhiya resident of Village-  
Hainthibali, P.S.- Bhairabasthan, District- Madhubani.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Binodanand Mishra, Advocate

For the Respondent/s :

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date : 08-01-2020**

Heard learned counsel for the plaintiff/petitioner.

2. The present application has been filed *“against the order dated 30.08.2019 passed in T.S. 20 of 2005 by the Court of learned Munsif, Jhanjharpur, Madhubani rejecting the application of the petitioner under Order 6 Rule 17 and Section 151 of the CPC for amendment of paragraph nos. 5, 6 and 7 of the plaint.”*

3. Learned counsel for the plaintiff/petitioner submits that through inadvertent typographical error in the plaint Saryug Das was shown as the chela of Ram Lochan Das in place of chela of Janardan Das. It is therefore, submitted that the *bona fide* error ought to have been allowed to be corrected by amendment of plaint.

4. Having heard learned counsel for the plaintiff/petitioner



and on consideration of the materials on record this Court is not inclined to interfere in the matter. From a perusal of the impugned order it appears that the suit is at the argument stage having been filed as far back as in the year 2005. In the past as well, the plaintiff/petitioner had been permitted to make amendment of the plaint on 13.02.2015 despite which the petitioner has not exercised caution. The amendment sought is contrary to the plaintiff/petitioner's own statement in para 4 of his evidence wherein he has admitted that Saryug Das was the chela of Ram Lochan Das.

5. The impugned order therefore calls for no interference, The petition stands dismissed.

**(Vikash Jain, J)**

Chandran/-

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| AFR/NAFR          | NAFR       |
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