

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.473 of 2021

Sanjib Parija @ Bibhudendra Parija
& Anr.

Petitioner(s)

Mr. N.P.Parija,
Advocate

-versus-

Minati Mishra & Ors.

.... Opposite Party(s)

Mr.P.K.Jena,
Advocate

CORAM:
JUSTICE BISWANATH RATH

ORDER
12.04.2022

Order No.

04.

1. Even though amendment was sought for by way of incorporation of Paragraph-13(c), in reference to the pleading already come by way of amendment through Paragraph-11(a), on perusal of the application under Order 6 Rule 17 while considering the submissions of Mr.Parija, learned counsel for the petitioners that such an endeavor is made to bring amendment to the prayer by introduction of an additional prayer in terms of pleading already therein in Paragraph-11(a), this Court looking to the amendment application finds there is clear attempt for bringing amendment to Paragraph-13 of the plaint by way of incorporation of Paragraph-13(c). This Petition has already been considered on a comparison of this prayer along with the plaint pleading in Paragraph-13. This Court finds, there is no Paragraph a, b, c, d like in Paragraph-13 here and Paragraph-13 is a line Para.

2. Mr. Parija, learned counsel for the petitioner requests this Court to bring it to the fold of typographical error and thus request for passing appropriate order, for the limited role of Court in exercise of power under Article 227 of the Constitution of India. This Court has no

such discretion. This court observes once an application in appropriate pleadings and prayer considered by the trial court, this Court has no business considering such application otherwise to fit into the request of the petitioners and contrary to the actual position. This Court accordingly has no scope for interfering in the impugned order. Consequently, the CMP stands dismissed. Dismissed of this CMP has however bring no restriction for petitioner making an attempt in right direction.

(Biswanath Rath)
Judge

S.P. Dash

