

S/L 2
30.8.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 1144 of 2023

Sri Gurucharan Mahato

Vs.

Sri Bipadtaran Mahato & Ors.

Mr. Chittapriya Ghosh

Ms. Priyanka Saha

...for the Petitioner.

Mr. Lalratan Mandal

Mr. Dilip Kumar Sadhu

...for the Opposite Party Nos.1-3.

Affidavit of service filed on behalf of the petitioner
be kept with the record.

The matter has been brought to the list for
extension of interim order but by the consent of the
parties, it is taken up for final disposal.

The petitioner is the defendant no.1 of the
connected partition suit being *Title Suit No.150 of 2014*.
The Additional Court of learned Civil Judge (Senior
Division), Purulia by the judgment and decree dated
September 18, 2017 has decreed the said suit.

The petitioner had filed an application under
Section 152 read with Section 151 of the Code of Civil
Procedure for correction of the typographical error in the
said judgment.

It appears that the petitioner is alleging that the
judgment is not agreeing with the decree inasmuch as in
the body of the judgment, shares of defendant nos.1 and 2
in the suit property though has been declared but in the
decree such share has not been declared; instead, 1/3rd
share of defendant nos.1 to 7 and 10 has been declared.

The correction as prayed for does not come within the purview of Section 152 of the Code, as such, the learned Trial Judge has rightly refused the prayer of the petitioner.

The order impugned for the aforesaid reason(s) does not call for any interference.

CO 1144 of 2023 is dismissed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)