

D/L- 19
10/07/2025
Ct. No.-6
Aritra

C.O. 2421 of 2025

**Munni Bewa
Vs.
Shajahan Bewa & Ors.**

Mr. Sabyasachi Hazra

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the plaintiff and is directed against an order dated February 27, 2025 passed by the learned Civil Judge (Jr. Div.), 5th Court, Alipore, District-South 24-Parganas in Title Suit No.17574 of 2014.

By the order impugned the application for amendment of the written statement stood allowed.

The learned advocate appearing for the petitioner draws the attention of the Court to the amendment application and submits that in the prayer portion of such application it has been stated that the opposite parties herein are seeking amendment of plaint but the opposite party being a defendant cannot seek amendment of the plaint. He also draws attention of the Court to paragraph 4, 5 and 6 of the schedule of the amendment wherein it has been stated that the petitioner seeks to insert some paragraphs after certain paragraphs of the original plaint.

After going through the application for amendment, this Court finds that in paragraph 6 and 7 it was stated that after paragraph 14 of the plaint, the paragraphs 14A, 14B and 14C the following prayers shall be inserted.

After reading the application for amendment of written statement more particularly the schedule appended thereto as a whole, this Court finds that though the petitioner sought to incorporate certain paragraphs in the written statement but instead of written statement it has been stated as plaint which is nothing but a typographical error as would be evident from the fact that new paragraph is after paragraph 14 was sought to be inserted but the plaint contains only 13 paragraphs. Therefore, it cannot be said that the defendant wanted to insert paragraphs in the plaint as urged by the learned advocate for the petitioner. Such being a typographical error, this Court is not inclined to interfere with the ultimate conclusion of the learned trial judge.

With the above observations, CO 2421 of 2025 stands disposed of.

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)