

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.483 of 2019

1. Most. Devkali Devi Wife of Late Babu Ram Prasad Resident of Village- Kail Tola Malik Tola, P.O.- Kail Garh, P.S.- Badhariya, District- Siwan.
2. Rabindra Prasad Son of Late Babu Ram Prasad Resident of Village- Kail Tola Malik Tola, P.O.- Kail Garh, P.S.- Badhariya, District- Siwan.

... .. Petitioner/s

Versus

- 1.1. Most. Sushila Devi W/o Late Satyanarayan Singh, Resident of Village - Kail Tola Malik Tola, P.O. - Kali Garh, P.S. - Badhariya, District- Siwan.
- 1.2. Pushpa Devi D/o Late Satyanarayan Singh, Resident of Village - Kail Tola Malik Tola, P.O. - Kali Garh, P.S. - Badhariya, District- Siwan.
- 1.3. Meena Devi D/o Late Satyanarayan Singh, Resident of Village - Kail Tola Malik Tola, P.O. - Kali Garh, P.S. - Badhariya, District- Siwan.
- 2.1. Mansa Devi D/o Late Nayan Prasad Singh, Resident of Village - Kail Tola Malik Tola, P.O. - Kali Garh, P.S. - Badhariya, District- Siwan.
- 2.2. Chinta Devi D/o Late Nayan Prasad Singh, Resident of Village - Kail Tola Malik Tola, P.O. - Kali Garh, P.S. - Badhariya, District- Siwan.
- 2.3. Rinku Devi D/o Late Nayan Prasad Singh, Resident of Village - Kail Tola Malik Tola, P.O. - Kali Garh, P.S. - Badhariya, District- Siwan.
3. Jairam Singh Son of Babu Lal Singh Resident of Village- Kail Tola Malik Tola, P.O.- Kail Garh, P.S.- Badhariya, District- Siwan.
4. Rakesh Singh Son of Satyanarayan Singh Resident of Village- Kail Tola Malik Tola, P.O.- Kail Garh, P.S.- Badhariya, District- Siwan.
5. Mukesh Singh Son of Satyanarayan Singh Resident of Village- Kail Tola Malik Tola, P.O.- Kail Garh, P.S.- Badhariya, District- Siwan.
6. Umesh Singh Son of Nayan Prasad Singh Resident of Village- Kail Tola Malik Tola, P.O.- Kail Garh, P.S.- Badhariya, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Dr. Ranjeet Kumar, Advocate Mr. Kanishk Kaustubh, Advocate Ms. Manisha Rathore, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL JUDGMENT

Date : 16-03-2026

Heard the parties.

2. In the instant petition, petitioners have prayed for the



following relief (s):-

(i) For setting aside the order dated 22.01.2019 passed by the learned sub-judge-6 Siwan in Title suite No. 848 of 2015 whereby the application dated 02.06.2018 filed by the petitioners under Order 6 Rule 17 of the C.P.C has been rejected.

(ii) For any other relief/reliefs for which petitioners may be deemed entitled too.

3. Learned counsel for the petitioners submits that petitioners are plaintiff in title suit no. 848 of 2015 in which trial had not yet been commenced on the date of filing of the present petition and inadvertently correct suit plot no. 7448 has been left to be mentioned in the schedule of suit property and in place thereof, plot no. 7478 has wrongly been mentioned which is a typographical error and it requires to be corrected at initial stage. He further submits that from this amendment no party is going to be prejudiced because it is simply a typographical error and all the other places of Plaint correct plot no. has already been mentioned.

4. Learned counsel on behalf of the respondent objected the above contention of the learned counsel for the petitioners.

5. Considering the fact that trial has not been commenced at the time of filing of the present petition and any typographical error must be corrected at the beginning stage, considering the aforesaid facts and circumstances, the present C.Misc is allowed



after setting aside the impugned order dated 22.01.2019.

6. Respondent/defendant is also permitted to file any supplementary W.S. only with respect to amended facts if he/they wishes to do so, and not beyond that.

7. Accordingly, Civil Misc No. 483 of 2019 stands disposed of.

(S. B. Pd. Singh, J)

vashudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.04.2026
Transmission Date	NA

