

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9630 of 2023

Petitioner :- Prem Singh

Respondent :- B.P. Industrial Corporation Ltd

Counsel for Petitioner :- Vidya Dhar Dubey

Hon'ble Jayant Banerji, J.

1. This petition has been filed seeking to set aside an order dated 17.07.2023 passed on the application of the petitioner, bearing paper no.97-A, seeking amendment in the plaint under Order VI Rule 17 CPC, whereby the application for amendment has been allowed.

2. A perusal of the impugned order reflects that the other application that was considered by the trial court by means of the impugned order was paper no.130-C dated 16.01.2023 seeking consideration of preliminary issues. By the impugned order, the application for amendment 97-A was allowed and the application 130-C was disposed of.

3. After arguing for some time, learned counsel for the petitioner states that he may be permitted to withdraw this petition as the petitioner would seek his alternative remedy of revision before the appropriate forum.

4. This petition is, therefore, **dismissed**.

Order Date :- 12.12.2023

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(Jayant Banerji, J.)