

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10421 of 2015

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Kunti Devi & Anr

.... Petitioner/s

Versus

Shushma Sinha @ Shushma Devi & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nawnit Kumar Tiwary

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 26-11-2015

Heard learned counsel Mr. Pandit Jee Pandey on the
Interlocutory Application No.5744 of 2015.

At the time of hearing of the interlocutory application
the learned counsel for the petitioners submitted that this writ
application itself may be heard in admission matter on merit.
Therefore, I heard him on merit in admission matter also.

This application under Article 227 of the Constitution
of India has been filed by the defendants-petitioners against the
order dated 04.03.2015 passed by learned Subordinate Judge-IV,
Danapur in Title Suit No.432 of 2012 whereby the court below has
allowed the amendment application filed by the plaintiff-
respondent.

From perusal of the impugned order and from
submission of the learned counsel for the petitioners, it is clear
that still today issues have also not been framed and, therefore, in

my opinion because of amendment no prejudice will be caused to the defendants-petitioners. If so advised, if new fact has been brought on by amendment, the petitioners are at liberty to file supplementary written statement to the amended portion only.

Thus, I find no merit in this writ application and accordingly, it is dismissed. Consequently the interlocutory application is also rejected.

(Mungeshwar Sahoo, J)

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