

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4035 of 2011

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Kriti Kant Singh son of late Sadhu Saran Singh, resident of village
Bhagwanpur Pakri, P.S.Lalganj, P.O. Manikpur, Pakri, Dist. Vaishali.

.... Plaintiff-Petitioner

Versus

1. Sri Madan Singh
2. Sri Krishna Singh

Both sons of late Sadhu Saran Singh, resident of village Bhagwanpur
Pakri, P.S. Lalganj, PO. Manikpur Pakri, Dist-Vaishali.

.... Defendants- Respondents

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Appearance :

For the Petitioner/s : None

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 17-08-2015 Neither the plaintiff-petitioner nor the defendants-
respondents, on call is present.

Plaintiff of Final Decree no. 453 of 1998 filed the
present application aggrieved by the non grant of relief prayed
vide petition dated 19.11.2005 whereby the plaintiff sought
amendment in the plaint and also ex parte preliminary decree
passed in the suit. The plaintiff sought certain corrections in the
survey plot numbers which, according to him, was wrongly stated
in the plaint. Such application was filed at a much belated stage.
The trial court considered the relevant provisions under Order 6
Rule 17 of the Code of Civil Procedure to find that that there was
deliberate negligence on the part of the plaintiff. The trial court
did not find it a case where in spite of due diligence the relevant

plot numbers were not stated in the plaint. Having found so, the application was dismissed.

The proceeding is of 1998, which till date remained undisposed of. This court does not find it a case where jurisdiction under Article 227 can be invoked.

The application is dismissed.

(Kishore Kumar Mandal, J)

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