

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12063 of 2010

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Shiv Kumar Choudhary S/O Sri Boiwajee Choudhary R/O Village And
Mauza- Daulatpur @ Sihma Pergana- Badey Bhusari, P.S. Khodawandpur,
Distt.- Begusarai **Petitioner.**

Versus

1. The State Of Bihar Through D.M., Vaishali At Hajipur.
 2. Shri Boiwajee Choudhary S/O Late Shivnandan Choudhary R/O Vill.
And Mouza- Daultapur @ Shima Pergana- Badey Bhusari, P.S.
Khodawandpur, Distt.- Begusarai. **-Defendant No.1)-Respondents.**
 3. Anjani Kumar Choudhary S/O Shri Boiwajee Choudhary R/O Village
And Mauza- Daulatpur @ Sihma, Pargana- Badey Bhusari, P.S.
Khodawandpur, Distt.- Begusarai **--(Plaintiff)- Respondents.**
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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha
For the Respondent/s : Mr. (Sc7)

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

11 05-02-2015 Heard the learned senior counsel appearing on
behalf of the petitioner and the learned counsel for the plaintiff-
respondent.

Calling in question the order passed by the learned
court below allowing the amendment sought by the plaintiff for
deleting the properties from schedule of the plaint, this application
under Article 227 of the Constitution of India has been filed.

The factual exposes' are that the plaintiff and the
defendant no.2 are sons of the defendant no.1. The properties in
the suit have been described in the schedule of the plaint. By filing
the amendment petition the plaintiff prayed for deleting some
properties from the said schedule. The trial court by the impugned

order has allowed the amendment as prayed by the plaintiff and permitted the deletion of the properties sought for by the plaintiff.

After considering the submissions on behalf of the parties as well as the impugned order, this Court does not find any error, illegality and irregularity in the impugned order.

The writ application is dismissed with liberty to the petitioner to pursue the remedy for the property in question, if available to him, in accordance with law.

(V. Nath, J)

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