

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6287 of 2011

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Jag Mohan Manjhi @Jag Mohan Lal Manjhi son of Late Sahdeo Manjhi
resident of Village-Khorodih, P.O.-Sawari Baxijee, P.S.-Kopa, Distt.-
Chapra, At Present Posted As Labour Enforcement Officer, Madhubani,
Distt.-West Champaran

.... Petitioner/s

Versus

1. Ram Asis Manjhi son of Late Bhardul Manjhi
2. Ram Ganesh Manjhi son of Late Bhardul Manjhi
3. Garaj Manjhi son of Late Chhotak Manjhi
4. Bhuteli Manhi son of Late Chhotak Manjhi
5. Munni Manjhi son of Late Lutan Manjhi
6. Hira Manhi son of Late Lutan Manhi
7. Taras Manjhi son of Late Lutan Manjhi
8. Mukhdeo Manjhi son of Late Lutan Manjhi
All residents of village Khorodih, P.O. Sawari Baxijee P.S. Kopa District
Saran
9. Sumitra Devi wife of Late Baij Nath Manjhi
10. Mira Devi daughter of Late Baij Nath Manjhi
11. Sima Devi daughter of Late Baij Nath Manjhi
Proposed address residents of village Khorodih P.O. Sawari Baxijee P.S.
Kopa District Saran
12. The State Of Bihar Through Collector, Saran At Chapra
13. Circle Officer, Jalalpur, At & P.O. & P.S.-Jalalpur, Distt.-Saran
14. The Deputy Collector Land Reforms, Chapra, At & P.O.-Chapra, P.S.-
Chapra Town, Distt.-Saran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Narayan Parbat
For the Respondent/s : AC to SC 2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 07-07-2015 Heard Sri Mahesh Narayan Parbat, learned counsel for

the petitioner, learned AC to SC No. 2 as well as Sri Ajay Kumar
Sharma, learned counsel, who has appeared on behalf of the
respondent no. 1 to 8. It was pleaded by learned counsel for both
the parties that respondent no. 9 to 14 are formal parties.



The present writ petition has been filed for setting aside an order dated 6.1.2009 passed by the learned Munsif - 1st Chapra, in Title Suit No. 62 of 1998. By the said order the learned court below has allowed the petition filed on behalf of the plaintiff i.e. opposite party 1st set for including the address of the defendant as in the plaint on the plea that due to mistake by the typist some error had occurred. For making correction amendment has been allowed, which has been assailed by the petitioner in the present writ petition.

A plea has been taken by Sri Parbat, learned counsel for the petitioner that due to the reason that in the plaint itself address of the petitioner/ defendant was not given, he was restrained from participating in the proceeding and as such, in his absence whatever action was taken in the proceeding was required to be recalled. He has referred to the provisions contained in Order VI Rule 14A of the C.P.C.

In the present writ petition the order dated 6.1.2009 has been assailed whereby petition for making correction in the plaint has been allowed. The order appears to be formal in nature. There is no requirement for interference with the same. However, it is made clear that the petitioner would be at liberty to avail the remedy as provided under Order VI Rule 14A of the C.P.C. If

such plea is taken by the petitioner, the court expects that the learned court below may examine the same in its right perspective and pass appropriate order in accordance with law.

The writ petition stands disposed of.

(Rakesh Kumar, J)

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