

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18395 of 2012

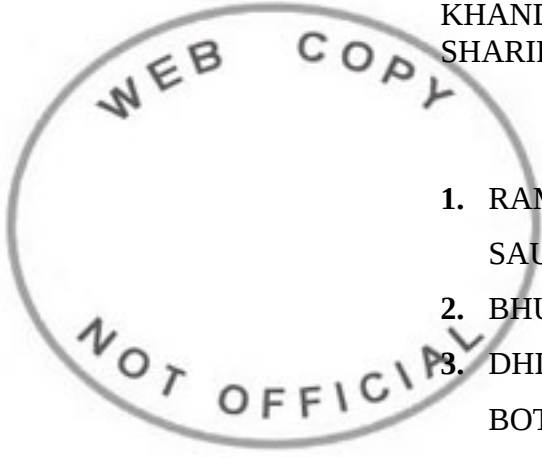
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RABINDRA PRASAD SON OF LATE YADUNANDAN PRASAD
RESIDENT OF VILLAGE MEGHI, P.O. MEGHI, P.S. DEEP NAGAR,
DISTRICT NALANDA, AT PRESENT RESIDING AT MOHALLA
KHANDAKPUR, YADUNANDAN MARKET, P.O. AND P.S. BIHAR
SHARIF, DISTRICT NALANDA.

.... PETITIONER/S

VERSUS

1. RAMRATI DEVI DAUGHTER OF LATE SAUDAGAR MAHTO @
SAUDAGAR SINGH, WIFE OF YUGESHWAR PRASAD
2. BHUSHAN RAM @ BHUSHAN PRASAD
3. DHIRAJ KUMAR
BOTH SONS OF LATE YUGESHWAR PRASAD
ALL ARE RESIDENT OF VILLAGE BAHARI BIGHA, P.O. LAL
BIGHA, P.S. SHAHPUR (KASHICHAK) DISTRICT NAWADA, AT
PRESENT RESIDENT OF VILLAGE MEGHI, P.O. MEGHI, P.S.
DEEP NAGAR, DISTRICT NALANDA.
4. ONKAR PRASAD
5. MAHENDRA PRASAD
BOTH SONS OF LATE RABINDRA PRASAD
6. CHANDAN KUMAR SON OF RABINDRA PRASAD
7. VICKY KUMAR SON OF ONKAR PRASAD
8. BABLU KUMAR MINOR SON OF ONKAR PRASAD, UNDER THE
GUARDIANSHIP OF HIS FATHER AND WELL WISHER ONKAR
PRASAD
9. TUKU
10. CHHOTU
BOTH MINOR SON OF MAHENDRA PRASAD UNDER THE
GUARDIANSHIP OF HIS FATHER AND WELL WISHER
MAHENDRA PRASAD
ALL (4) TO (10) ARE RESIDENT OF VILLAGE MEGHI, P.O.
MEGHI, P.S. DEEP NAGAR, DISTRICT NALANDA.
11. SHIV KUMAR
12. AWADH KISHORE
13. ASHOK KUMAR
ALL SON OF LATE PRATAP MAHTO @ RAMDEO SINGH
14. MITHILESH KUMAR
15. MAHESH KUMAR



16. MUKESH KUMAR

ALL SONS OF LATE KULDIP NARAYAN PRASAD.
ALL (11) TO (16) ARE RESIDENT OF VILLAGE MEGHI, P.O.
MEGHI, P.S. DEEP NAGAR, DISTRICT NALANDA.

.... RESPONDENT/S

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Appearance:

For the Petitioner/s : Mr. Sudhir Kumar, Adv.
For the Respondent/s : Mr. Rabindra Prasad Singh, Adv.
M/s Maruti Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

6 18-12-2015

Heard learned counsel for the petitioner as well as
learned counsel for the respondents.

Though additional W.S. contains the description
with regard to earlier suit having fought amongst the family
members bearing Title Suit No.12 of 1983 and further, from the
pleading of the rival party it is apparent that deed of gift executed
by Saudagar Mahto has come up for adjudication by way of an
amendment in the plaint, however the disclosure made in the
proposed amendment petition (Annexure-2) happens to be
imagination or perception of petitioner/defendant formed under his
own illusion whereupon cannot be a basis for amendment and
consequent thereupon rightly been denied by the learned lower
court.

Petition is rejected.

(Aditya Kumar Trivedi, J)

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