

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 221 of 2015

- Ravindra Kumar Nawarang S/O Shri Kalidas Nawarang, Aged About 52 years, R/O Village Jarahagaon, Bajarpara, Police Station & Tahsil- Jarahagaon, Distt. Mungeli (C.G.)

---- Petitioner

Versus

1. Smt. Premlata Saini W/O Shri Santosh Kumar Saini, Aged About 36 Years R/O Gopi Gali, Ward No. 6, Chandani Lodge, Kududand, Bilaspur, Police Station Civil Line, Tahsil & Distt. Bilaspur, (C.G.)
2. State Of Chhattisgarh, Through The Collector, Bilaspur, Distt. Bilaspur, (C.G.)

---- Respondents

For Petitioner	Shri Rishi Rahul Soni, Advocate
For Respondent/State	Shri Gary Mukhopadhyay, Dy. Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/03/2015

1. This petition under Article 227 of the Constitution is preferred against the order passed by the trial Court dismissing petitioner's/plaintiff's application under Order 6 Rule 17 of Code of Civil Procedure (for short, 'CPC').
2. A reading of the impugned order would reveal that the suit is fixed for final hearing. In view of the proviso to Rule 17 of Order 6 CPC the amendment in the plaint at such stage of the suit is not permissible.
3. In view of the above, no interference is called for.
4. Accordingly, the writ petition is dismissed, however, petitioner would be at liberty to raise this ground in the appeal, if such eventuality arises.

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