

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1531 of 2016

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1. Filing Thakur, Son of late Deena Hajjam, resident of village- Nimi, P.S. Shekhopur, Sarai, District- Shekhpura.

.... Appellant/s

Versus

1. Smt. Shanti Devi, D/o Late Deeplal Hajjam & Wife of Munshi Hajjam, Resident of village- Chutka P.O.+P.S.- Hajaribagh, Jharkhand. At present residing at village- Rasalpur Nai Pokhar, P.O.+P.S. Rajgir, District- Nalanda.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amaresh Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 22-12-2016 Heard Mr. Vijay Kumar Pandey, learned counsel for the petitioner.

Perused the impugned order dated 15.09.2016 passed by the learned Sub-Judge-II, Biharsharif at Nalanda in T.S.No. 296 of 2012 whereby the learned Sub Judge has allowed the amendment application filed by the plaintiff- respondent.

From perusal of the impugned order it appears that the amendment, sought for, by the plaintiff- respondent is in the nature of correction only.

Learned counsel for the petitioner submitted that the evidence of the plaintiff is still going on, therefore, the evidence of the defendant is yet to start. In such circumstances, there is no



question of prejudice to the petitioner arises and moreover, the nature of amendment is only correction.

Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction under Article 227 of the Constitution of India.

Accordingly, this miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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