

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13431 of 2013

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1. Dasarath Mistri Son Of Ram Jatan Mistri
 2. Ram Ashish Mistri Son Of Ram Jatan Mistri
 3. Deelip Mistri Son Of Ram Jatan Mistri
 4. Jaleshwar Mistri @ Buttan Son Of Ram Jatan Mistri
 5. Mosmat Shyam Sundari Devi Wife Of Late Ram Ishwar Mistri
 6. Satya Narayan Mistri Son Of Late Ram Ishwar Mistri
 7. Dip Narayan Mistri Son Of Late Ram Ishwar Mistri
 8. Pintu Kumar Son Of Late Ram Ishwar Mistri
 9. Mosmat Munni Devi Wife Of Late Rameshwar Mistri
 10. Jitendra Kumar @ Jitendra Mistri Son Of Late Rameshwar Mistri
 11. Brijendra Kumar
 12. Dharmendra Kumar both are Minor Sons Of Late Rameshwar Mistri
Under The Guardianship Of Mother Munni Devi Resident Of Village-
Pareo, Police Station- Bihata, District- Patna

.... Petitioner/s

Versus

1. Vishwa Nath Prasad Son Of Late Ram Kishun Sao
2. Bhola Prasad Son Of Late Ram Kishun Sao
3. Raghunath Prasad @ Chhote Son Of Late Ram Kishun Sao
4. Ram Dhani Sao Son Of Late Sahdeo Sao
5. Bishun Sao Son Of Late Sahdeo Sao all Resident Of Village- Pareo,
Police Station- Bihata, District- Patna
6. Mangal Choudharay Son Of Late Fulchan Choudhray
7. Prem Chand Choudharay Son Of Late Fulchan Choudhray both
Resident Of Village- Pareo, Police Station- Bihata, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

3 17-11-2016

Nobody appears on behalf of the petitioners even

after repeated calls. Learned counsel for the respondent nos. 6 and 7 is present.

From the perusal of the impugned order, it appears that prayer for amendment in the plaint has been rejected. It transpires that the suit was at the final stage where the argument was also about to conclude and at that stage the petition for amendment in the plaint was filed on behalf of the plaintiffs. It has been found by the learned court below that the written statement in the suit was filed on 19.12.2005 and on that basis the learned court below has disbelieved the case of the plaintiffs that the amendment as sought for could not have been prayer earlier.

After careful consideration of the matter, this Court does not find any reason to interfere in the impugned order. The application is, accordingly, dismissed.

(V. Nath, J)

Devendra/-

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