

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.1421 of 2016**

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Satyendra Tiwary & Ors

.... .... Appellant/s

Versus

M/s Navyug Homes Private Limited & Ors

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Pankaj Majwar

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR**  
**SAHOO**

**ORAL ORDER**

2      20-12-2016                      Heard learned Senior Counsel Mr. S.S. Dwivedi for the petitioners and learned counsel Mr. Jitendra Kishore Verma for the respondents.

Perused the impugned order dated 20.07.2016 passed by learned Subordinate Judge-III, Patna in Title Suit No.234 of 2010 whereby the learned court below has allowed the amendment application filed by added co-plaintiff.

It is admitted by the parties at the time of hearing of this civil miscellaneous application that still no issues have been framed, therefore, it is a pre-trial amendment. In such circumstances, at the time of hearing of the amendment application the court is not required to prejudge the facts alleged by the petitioners herein in the present civil miscellaneous application challenging the order allowing the amendment application. The courts have got wide discretion to allow



amendment application at any stage. The admitted fact as stated above is that the trial has not commenced.

Therefore, I find no jurisdictional error in the order impugned. Accordingly, this civil miscellaneous application is dismissed.

**(Mungeshwar Sahoo, J)**

Harish/-

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