

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13164 of 2015

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Gopal Choubey & Ors

.... Petitioner/s

Versus

Rajendra Singh & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Respondent/s : Mr. Satyadeo Kumar- Sc5

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 20-06-2016

Heard the learned counsel, Mr. Rajni Kant Pandey for the petitioners and the learned counsel, Mr. Bijay Kumar Pandey, A.C. to S.C.5 on behalf of the State-respondents.

It appears that by the order dated 04.06.2014, the learned Munsif, Kaimur at Bhabhua allowed the amendment application filed by the State-respondent for amendment in the written statement in Title Suit No.37 of 2011. From perusal of the order, the Court below recorded clear finding that the hearing of the suit has not yet started.

Therefore, in my opinion, it is a pre trial amendment and the Court has the jurisdiction to allow the amendment, if it is necessary, prior to commencement of trial. I, therefore, find no reason to interfere with the impugned order.

Thus, this writ application is dismissed.

Saurabh/-

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(Mungeshwar Sahoo, J)