

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3739 of 2014**

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1. Indradeo Mandal Son Of Late Narayan Mandal Resident Of Nayagaon Thakurbari Road, Jamalpur, P.O. Jamalpur, P.S. East Colony, District - Munger

.... .... Petitioner/s

Versus

1. Ashok Chaurasia Son Of Gaya Prasad Sharma
2. Niranjan Prasad Chaurasia Son Of Gaya Prasad Sharma Both Are Resident Of Goat Kharikh, P.O. And P.S. Kharik Bazar, District - Bhagalpur
3. Chanda Devi Daughter Of Gaya Prasad Sharma And Wife Of Jagesh Kumar Mandal Resident Of Village - Ganaur, P.S. Narayanpur, District - Bhagalpur
4. Indu Devi Daughter Of Ganga Prasad Sharma And Wife Of Gopal Sahu Resident Of Village - Sahu Parbatta, P.S. Parbatta, District - Bhagalpur
5. Anupam Chaurasia Son Of Ashok Chaurasia Resident Of Goat Kharikh, P.O. And P.S. Kharik Bazar, District - Bhagalpur
6. Anuj Chaurasia Son Of Ashok Chaurasia Resident Of Goat Kharikh, P.O. And P.S. Kharik Bazar, District - Bhagalpur
7. Santosh Kumar Mandal Son Of Late Narayan Mandal
8. Brahamdeo Mandal Son Of Late Narayan Mandal
9. Yugal Kishore Mandal Son Of Late Narayan Mandal
10. Babloo Mandal @ Bhanu Kumar Son Of Sri Santosh Kumar Mandal
11. Ram Lal Mandal @ Ram Kumar S/O Santosh Kumar Mandal
12. Shayam Lal Mandal @ Shayam Kumar Mandal Son Of Santosh Kumar Mandal
13. Pintu Mandal @ Manoj Mandal Son Of Indradeo Mandal
14. Kalanand Mandal Son Of Indradeo Mandal
15. Nunu Mandal Son Of Brahamdeo Mandal
16. Ambu @ Bibek Mandal Son Of Yugal Kishore Mandal
17. Chhotu @ Bikash Kumar Son Of Yugal Kishore Mandal Respondent No. 7 To 17 Are Resident Of Nayagaon Thakurbari Road, Jamalpur, P.S. East Colony, District - Munger
18. Smt. Manorama Devi Daughter Of Ramdhani Das And Wife Of Pradeep Chaurasia @ Sagar Chaurasia Resident Of Village - Patam, P.O. Patam, District - Munger
19. Gamesh Das @ Rajendra Das Son Of Late Ramdhani Das Resident Of Village - Haveli Kharagpur, P.O. And P.S. Haveli Kharagpur, District - Munger
20. Smt. Punam Chaurasia Wife Of Ashok Kumar Chaurasia Resident Of Goat Kharikh, P.O. And P.S. Kharik Bazar, District - Bhagalpur, At Present Residing At Nayagaon Thakurbari Road, Jamalpur, District - Munger

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dharendra Nath Jha

For the Respondent/s : Mr.

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

20-01-2016

Heard learned counsel for the petitioner.

By the impugned order dated 07.11.2013 passed by the learned Sub-Judge-II, Munger in Title Suit No. 40 of 1988, the court below has rejected the amendment application filed by defendant No.3-petitioner.

From perusal of the impugned order, it appears that the amendment application was filed by the defendant with regard to schedule-B of the plaint on the ground that the plaint was amended on 22.10.2013 and Schedule-B/1 was added in the Schedule of the plaint. The court below considering the order sheets of the case found that, in fact, amendment was allowed on 01.08.2000 in favour of the plaintiff and Schedule-B/1 was added and for this long period, no amendment was sought for and for the first time amendment application was filed by the defendant on the ground that, in fact, it was allowed on 22.10.2013. Therefore, the prayer of the petitioner was rejected by the learned court below by the impugned order.

In such circumstances, considering the fact that the petitioner's case was not found on the basis of the order passed in the court, the court below has rightly rejected the application and

now at this stage after such a long period, impugned order passed by the court below cannot be interfered with in supervisory jurisdiction. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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