

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.855 of 2016**

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Ram Janam Singh

.... Appellant/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar Singh

For the Respondent/s : Mr. Raj Kishore Roy- Gp18

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

3 22-11-2016

Learned counsel for the petitioner submitted that by mistake, respondent No.1 has been made party in this civil miscellaneous application and, accordingly, he seeks permission to delete the name of respondent No.1.

Prayer is allowed. The name of respondent No.1 is deleted.

Heard learned counsel for the petitioner.

2. Perused the impugned order dated 04.04.2016 passed by the Munsif-I, Gaya, in T.S. No. 34 of 2014/46 of 2013, whereby the learned court below has allowed the amendment application filed by the plaintiff-respondents.

3. Admittedly, issues have already been framed as submitted by the learned counsel for the petitioner. Evidence has not yet stated. Therefore, the amendment, which has been allowed by the court below, is a pre-trial amendment. Therefore, the order

neither prejudice the petitioner nor it occasioned failure of justice
and nor it can be said that the order is without jurisdiction. Thus,
this civil miscellaneous application is dismissed.

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(Mungeshwar Sahoo, J)