

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.148 of 2016**

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Sakaldeo Yadav & Ors

.... Appellant/s

Versus

Brahamdeo Yadav & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dr. Manoj Kumar

For the Respondent/s : Mr.

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

2 05-08-2016

Heard learned counsel, Dr. Manoj Kumar, appearing
for the petitioners.

2. Perused the order dated 17.02.2016 passed by the
learned Munsif-1st, Bhagalpur in T.S. No. 54 of 2009, whereby,
the court below has allowed the amendment application filed by
the plaintiffs-respondents.

3. Admittedly, only two witnesses have been examined
on behalf of the plaintiffs-respondents. The defendants are yet to
start their evidence. Further the amendment sought for is only with
respect to the correct plot number. According to the plaintiffs, in
place of plot No. 102, it has wrongly been scribed as plot No. 49
in the sale deed because of the mistake of scribe. This amendment
application has been allowed.

4. In my opinion, therefore, there is no question of
prejudice to the petitioners arises and the matter whether the sale

deed is with respect to 102 plot or it is with respect of 49 plot is a matter that can only be decided at the final hearing of the suit. Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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