

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9416 of 2015

In
C.R. 1567 of 2009

=====

1. Moti Lal Singh son of Late Ramautar Singh, Resident of village Jasauli Kharg, P.O. Surwala, Police Station Pachrukhi, District- Siwan.

.... Petitioner/s

Versus

1. Nathuni Singh son of Late Shital Singh, Resident of Village Surwala, P.O. Surwala, Police Station Gautambudh Nagar, District- Siwan.
2. Chandrama Singh son of Late Ram Subhag Singh.
3. Gulabi Devi d/o Late Ram Subhag Singh, Both resident of Village Jasauli Kharg, P.O- Surwala, Police Station Pachrukhi, District- Siwan.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sarva Deo Singh
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

3 19-02-2016 Heard learned counsel, Mr. Sarva Deo Singh, appearing for the petitioner.

2. The learned Sub-Judge, 1st, Siwan, by the impugned order dated 02.07.2009, allowed the amendment application filed by the plaintiff in T.S. No. 447 of 2007.

3. The learned counsel for the defendant-petitioner submitted that on the date of the impugned order even issues were not framed.

4. In view of the position that on the date of the impugned order, no issues were framed and the application for amendment was filed for seeking recovery of possession on the

ground that the plaintiff was dispossessed in May, 2009. The court below considering these aspects of the matter, allowed the amendment application, therefore, since the court below has exercised the jurisdiction, there is no question of interference with the impugned order arises. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

brajesh/-

U			
---	--	--	--