

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7741 of 2014

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Sri Yogendra Pd. Singh & Ors

.... Petitioner/s

Versus

Most. Janki Devi & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhubneshwar Prasad

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 22-02-2016 **1.** Heard the learned counsel, Mr. Manishanker Rai, for the
petitioner.

2. By the impugned order dated 21.03.2014, the learned
Sub Judge VIIIth, Muzaffarpur allowed the amendment
application filed by the plaintiff respondent in partition suit
No.239 of 2010.

3. Perused the order passed by the Court below. It appears
that the plaintiff filed the amendment application seeking
permission to add two properties in the schedule of the plaint. The
Court below finding the same to be formal in nature has allowed
the same.

4. The only grievance of the petitioner is that there is delay
in filing the amendment application and that the plaintiffs'

evidence was going on. Admittedly, the evidence of the petitioner has not yet started. It is not the case of the petitioner that the properties which are now sought to be added as subject matter of the suit is not the joint family property or that it is his self acquired property. Moreover since the Court below has recorded finding that the amendment sought for is necessary for just decision of the controversies between the parties, in my opinion, no case for interference in supervisory jurisdiction is made out. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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