

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.306 of 2017

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Rampal Paswan

.... Appellant/s

Versus

Tarun Kumar & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arbind Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 20-02-2017 **1.** Heard the learned counsel, Mr. Arvind Kumar Singh,
for the petitioner.

2. Perused the impugned order dated 16.09.2016 passed by
Ist Addl. District Judge, Purnea in Probate Case No.2 of 2006 /
Title Suit No.2 of 2007 whereby the learned Court below has only
allowed the amendment application filed by the plaintiff.

3. The only grievance of the petitioner is that same prayer
was rejected earlier. But second time, the Court below has
allowed the same. Since the plaintiff is praying for amendment by
correcting the date of death of the testator of the Will on the
ground that by mistake, it was wrongly stated earlier, the Court
below rejected the said prayer on the ground that documents was
not filed, therefore, subsequently the amendment application was
filed with death certificate.



4. In view of the above facts and circumstances of the case when only amendment has been allowed by the Court below, there is no question of prejudice to the petitioner arises. So far merit is concerned, that will be considered finally at the time of hearing of the application.

5. Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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