

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL MISCELLANEOUS JURISDICTION No.2 of 2017

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1. Kiran Keshri Wife of Sri Baijnath Prasad Keshri
 2. Baijnath Prasad Keshri Son of Late Ganga Sao Both residents of Mohalla - Navratanpur, P.S. - Kankarbagh, District - Patna.

.... Appellant/s

Versus

1. Annu Devi wife of Santosh Kumar
2. Santosh Kumar Son of Late Fakeer Chand Sao Both residents of Village Salimpur, P.S. - Bakhtiyarpur, District - Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Abinash Kumar, Adv.

For the Respondent/s : Mr. Ramashish, Adv.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 06-07-2017

Heard Mr. Abinash Kumar, learned counsel for the petitioners and the learned counsel for the respondents.

By the impugned order, the learned court below has allowed the prayer of the plaintiffs for amendment in the plaint which besides others included incorporation of alternative relief for recovery of possession on the basis of declaration of title.

Learned counsel for the plaintiff-respondents however has taken the categorical stand that this application may be allowed and the impugned order may also be set aside in order to enable the plaintiff-respondents to get the proceeding of the suit concluded at the earliest.



Learned counsel for the petitioners is present.

In view of the stand on behalf of the plaintiff-respondents, the present application is allowed and the impugned order is set aside. The learned court below is directed to conclude the proceeding at the earliest as the plaintiff-respondents have expressed their willingness to conclude the proceeding. Learned counsel for the petitioners has also expressed the readiness to cooperate for early disposal of the suit. The learned court below is directed to proceed in accordance with the provisions of C.P.C. to avoid delaying and dilatory tactics which may be adopted by the parties.

(V. Nath, J)

Devendra/-

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CAV DATE	
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