

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.330 of 2017**

=====

Vishal Kumar Singh @ Kumar Vishal Singh

.... Petitioner

Versus

Anil Kumar Singh & Ors

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Ved Prakash Srivastva

For the Respondents : Mr.

=====

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

ORAL ORDER

2 21-02-2017

Heard learned Senior Counsel Mr. Mahesh Narayan

Parbat for the petitioner.

Perused the impugned order dated 27.09.2016 passed by Subordinate Judge-VIII, Chapra in Partition Suit No.73 of 1991 whereby the learned court below has allowed the amendment application filed by the plaintiffs-respondents. The amendment application has been annexed as Annexure-4.

From perusal of the said amendment application, it appears that the plaintiffs only prayed for correction in the cause title of the plaint to the effect that earlier by mistake the defendant nos.4 to 6 were shown as minor whereas they were major when they were added as party on 26.02.1999. The court below allowed this amendment application.

Admittedly the suit is at the initial stage i.e. plaintiffs' evidence is only going on and, therefore, there is no question of



prejudice to the petitioner arises.

Therefore, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction, as it cannot be said that the order impugned suffers from jurisdictional error, which has been passed in the manner not permitted by law. Accordingly, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

Harish/-

U			
---	--	--	--

