

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.913 of 2016

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Ramnaresh Singh & Ors

.... Appellant/s

Versus

Raghuvansh Singh

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Karandeep Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 10-02-2017 Heard learned counsel for the petitioners and learned
counsel for the respondent.

Perused the impugned order dated 25.07.2016 passed
by Civil Judge (Senior Division)-IV, Motihari (East Champaran)
in Title Suit No.481 of 2015 whereby the learned court below has
rejected the amendment application.

It appears that the amendment application is
Annexure-2 wherein the plaintiffs only prayed for addition of date
of the sale deed, which is 07.07.1925. This is the basis of the claim
of title by the plaintiffs. Admittedly the stage of the suit is at very
initial stage i.e. evidence has not yet started.

In my opinion, therefore, the court below refused to
exercise a jurisdiction vested in it by law. Accordingly, the civil
miscellaneous application is allowed. The impugned order is set



aside and the amendment application filed by the plaintiffs-petitioners is hereby allowed.

(Mungeshwar Sahoo, J)

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