

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WP227 No. 766 of 2017**

1. Chamar Rai Kanwar S/o Late Ghasiram Kanwar, Aged about 69 years, R/o Village Pounsara, Tahsil Katghora, District Korba, Chhattisgarh
2. Ramnarayan Singh Kanwar S/o Chamar Rai Kanwar, Aged about 47 years, R/o Village Pounsara, Tahsil Katghora, District Korba, Chhattisgarh

**---- Petitioners****Versus**

1. State of Chhattisgarh through Collector District Korba, Office of the Collector, District Korba, Chhattisgarh
2. Tahsildar Katghora, District Korba, Chhattisgarh, Office of the Tahsildar-Katghora, District Korba, Chhattisgarh
3. Nayab Tahsildar Katghora, Tahsil Katghora, District Korba, Chhattisgarh
4. Revenue Inspector, Revenue Inspector Circle, Katghora District Korba, Chhattisgarh
5. Patwari, P.H.No.15 Usha Dubey, Head Office Bankimongara, Tahsil Katghora, Revenue Inspector Circle Katghora, District Korba, Chhattisgarh

**---- Respondents**


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| For Petitioners       | : | Mr. Ashok Kumar Swarnakar, Advocate. |
| For Respondents/State | : | Mr. Majid Ali, P.L.                  |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****25/10/17**

By the impugned order dated 12.07.2017, the trial Court has rejected the amendment application filed by the petitioner/plaintiff's under Order 6 Rule 17 of the CPC.

2. Learned counsel appearing for the petitioner/plaintiff would submit that the impugned order is unsustainable and bad in law as the amendment proposed is formal in nature and is necessary for just and proper disposal of

the suit. Therefore, the impugned order is liable to be set aside.

3. I have heard learned counsel for the petitioner and perused the impugned order with utmost circumspection.

4. As the suit is at initial stage and the trial has not yet commenced, and as the amendment appears to be necessary for just and proper disposal of the suit, therefore, the amendment is allowed subject to payment of cost of Rs. 2,000/- to the District Legal Aid Committee, Korba within ten days from today. However, the defendants would be at liberty to move an application for modification of the order, if they are aggrieved. The respondents/defendants are also entitled to make consequential amendment in the written statement.

5. With the aforesaid observations, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

**(Sanjay K. Agrawal)**  
Judge