

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 679 of 2017**

MATS University, Through : Registrar- Gokulnanda Panda, S/o Kishore Chandra Panda, aged about 44 years, Registrar, MATS University, Occupation – Service , R/o Khamardih, Shankar Nagar, District Raipur (C.G.)

---- Petitioner**Versus**

1. M/s. A.S.A. Advertisers, Gurunanak Chowk, Raipur, Tahsil and District Raipur (C.G.)
2. Shri Chenraj Jain, Jain Group of Institutions (JGI), 91/2, Dr. A.N. Krishna Rao Road, V.V. Puram, Bangalore 500004

---- Respondents

For Petitioner: Mr. Kishore Bhaduri, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****18/09/2017**

(1) Learned counsel appearing for the petitioner would submit that by the impugned order, an application filed by the plaintiff for amending the pleadings under Order VI Rule 17 of the Code of Civil Procedure (for short 'CPC') has been allowed, that too, after commencement of trial and, therefore, the trial Court has committed illegality in passing the impugned order. He placed reliance upon the judgment of the High Court of Madhya Pradesh in the matter of **Avinash Kumar Rai Vs. Sushree Chhaya Rai and others** passed in Writ Petition No.4461/2012 in support of his submissions.

(2) I have heard learned counsel appearing for the petitioner and perused the order impugned with utmost circumspection.

(3) The trial Court has allowed the application under Order VI Rule 17 of the

CPC finding amendments is necessary for just and proper disposal of the suit and has given valid and sufficient reasons for allowing the same, in which, I do not find any illegality warranting interference under Article 227 of the Constitution of India.

(4) Accordingly, the writ petition fails and is hereby dismissed. No order as to costs.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-