

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1956 of 2017

Vindeshwar Sah, Son of Late Munshi Sah @ Munshi Lal Sah, Resident of Mohalla- Imadpur Mithapur, P.O.- Pastara, P.S.- Baligaon, Dist.- Vaishali.

... .. Defendant-Petitioner

Versus

1. Chandeshwar Sah, Son of Late Munshi Lal Sah, Resident of Mohalla- Imadpur, P.O. Pastara, P.S.- Baligaon, Dist.- Vaishali.
... ..Plaintiff-Defendant 1st party
2. Phuljhari Devi, Wife of late Munshi Lal Sah
3. Sitaram Sah, Son of Late Munshi Lal Sah.
4. Mahesh Sah, Son of Late Munshi Lal Sah, All resident of Mohalla- Imadpur, P.O.- Pastara, P.S.- Baligaon, Dist.- Vaishali.
... ..Defendants-Defendants 2nd party
5. Kedar Chaudhari, Son of Late Ram Gulam Chaudhari, Resident of Mohalla- Imadpur, P.O.- Pastara, P.S.- Baligaon, Dist.- Vaishali.
6. Narayan Das, Son of Late Lakhan Das, Resident of Village + P.O. + P.S.- Patepur, Dist.- Vaishali.
7. Uttam Sahani, Son of Late Faujdar Sahni, Resident of Mohalla- Imadpur Mithapur, P.O.- Pastara, P.S.- Baligaon, Dist.- Vaishali.
... ..Defendants-Defendants 3rd Party
8. Smt. Sanjhariya Devi, Wife of Sri Sitaram Sah.
9. Smt. Shakuntla Devi, Wife of Sri Vindeshwar Sah.
10. Smt. Sunita Devi, Wife of Sri Mahesh Sah, All residents of Mohalla- Imadpur, P.O- Pastara, P.S.- Baligaon, Dist.- Vaishali.
... .. Defendants-Defendants 4th Party

Appearance :

For the Appellant/s : Mr.Sunil Kumar
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-12-2018 Heard the learned counsel for the petitioner.

The petitioner has filed this civil miscellaneous petition against the order dated 24.08.2017, passed by the learned Sub-Judge-VIII, Vaishali at Hajipur in Partition Suit No.557 of 2009 by which the amendment petition of the plaintiff for adding his sisters as defendants in the suit has been allowed on payment of cost of Rs.1500/-.



Learned counsel for the petitioner submits that the plaintiff time and again filed amendment petition and the same was allowed. This is the third time, the plaintiff filed amendment petition for impleading his sisters as defendants in the suit and the same was also allowed.

I find that the plaintiff filed the partition suit but he could not implead his sisters as defendants. Sisters of the plaintiff are necessary parties and the learned court below has rightly allowed the amendment petition of the plaintiff for impleading his sisters as defendants in the suit.

Accordingly, I do not find any merit in this civil miscellaneous petition and the same is dismissed.

(Prabhat Kumar Jha, J)

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