

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15348 of 2014

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Lalan Prasad @ Lalan Prasad Sah S/o Late Kapldeo Sah Resident of
Mohalla Baniyapatti Motihari Town, P.O. Motihari Town, P.S. Motihari
Town, District East Champaran at Motihari.

.... Petitioner

Versus

Rajan Kumar S/o Late Kamal Prasad Sah Resident of Village Areraj, P.O.
Areraj, P.S. Govindganj, District East Champaran at Motihari.

.... Respondent

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Appearance :

For the Petitioner : Mr. Suman Kumar, Advocate

For the Respondent : Mr. Uma Kant Shukla, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 12-03-2018 The defendant of Title Suit No.316 of 2011 pending in the

Court of Sub Judge-4, Motihari, has filed this application for
setting aside the order dated 01.02.2014 whereby and whereunder
the amendment petition filed by respondent/plaintiff was allowed,

2. Heard learned counsel for the petitioner and the
respondent.

3. On going through the impugned order, averment made
in the plaint, written statement and amendment petition, I find that
the plaintiff has amended his pleading made in para-8 of the plaint
in order to clarify as to when his father and grand-father died. The
plaintiff has deleted the word 'Baba' and in its place he has
mentioned the word 'Father'. The grand-father of the plaintiff died
in the year 1973. Thus, amendments appears to be simple in nature



and these amendments do no change the nature of the suit.

4. Considering the amendment petition filed at belated stage the learned court below has imposed cost to the tune of Rs.1500/- with a liberty to the petitioner to file additional written statement and also to cross-examine the witnesses examined on behalf of the plaintiff.

5. In view of above facts, I do not find any merit in this application and the same is accordingly dismissed.

(Sanjay Kumar, J)

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