

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1053 of 2018

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1. Ramji Yadav, Son of Bhadai Yadav,
2. Ajeet Kumar, Son of Krishnadeo Prasad Yadav, Both Resident of
Village- Bakhadda, P.O.- Sanha, P.S.- Sahebpur Kamal, District- Begusarai.

.... Appellant/s

Versus

1. Pramod Yadav,
2. Sikander Yadav,
3. Bado Yadav, All S/o Late Ghuran Yadav, All resident of village-
Bakhadda, P.O. Sanha, P.S. Sahebpur Kamal, District-Begusarai

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Randhir Kumar No-1

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioners.

The petitioners have filed this civil miscellaneous petition against the order dated 21.05.2018 passed by Munsif, Ballia, Begusarai in Title Suit No.70 of 1997 by which the learned Munsif allowed the petition of the plaintiff for amendment and for adding prayer for recovery of possession.

Learned counsel for the petitioner submits that the suit is filed in the year 1997 and the hearing of the suit has already begun. The plaintiff was dispossessed from the property but he filed petition for amendment of the plaint and adding relief for recovery of possession at a very belated stage and the learned Munsif allowed the petition.



I do not find any illegality or jurisdictional error in the order as the learned Munsif has rightly held that since the plaintiff was dispossessed from the property during the pendency of the suit and, therefore, the amendment of the plaint is necessary for determination of the dispute between the parties and seeking relief for recovery of possession.

In this view of the fact, I do not find any merit in this civil miscellaneous petition and, accordingly, the same is dismissed.

(Prabhat Kumar Jha, J)

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