

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1164 of 2017

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1. Uday Narayan Choudhary, Son of Late Balram Choudhary, resident of Village- Sarosher, P.S. Dinara, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Patna Division, Patna.
3. The District Magistrate, Rohtas at Sasaram.
4. The Deputy Collector, Land Reforms, Sasaram, District- Rohtas.
5. The Circle Officer, Anchal Sadar, Sasaram, District- Rohtas.
6. Jeet Narayan Chaudhary, Son of Late Baliram Chaudhary, resident of Village- Sarosher, P.O.- Kudru, P.S. Dinara, District- Rohtas.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Praveen Kumar

For the Respondent/s : Mr. Birendra Pd. Singh, A.C. to S.C.19

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 08-08-2018

Heard learned counsel for the petitioner.

The petitioner filed this civil miscellaneous petition against the order dated 17.03.2017 passed in Title Suit No.552 of 2005 by which the petition of the plaintiff for amendment in the prayer portion has been allowed.

The petitioner is the defendant in the suit.

Learned counsel for the petitioner submits that the plaintiff himself stated in the plaint that he appeared before Lok Adalat, therefore, the issues about obtaining the compromise decree from Lok Adalat by playing fraud is not substantiated in



view of the statement made by the plaintiff in the plaint itself. The amendment is not at all necessary but I do not find any substance in the submission of the learned counsel for the petitioner as from the order of the learned Sub Judge itself, it appears that the plaintiff made all averments in the plaint about the compromise decree fraudulently obtained from Lok Adalat.

Therefore, I do not find any illegality in the order impugned. Accordingly, this civil miscellaneous petition is dismissed.

(Prabhat Kumar Jha, J)

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