

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18364 of 2014

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1. Avinash Chandra Son of Late Rambinod Thakur
2. Ranjana Kumari Wife of Avinash Chandra
Both resident of village - Harishankar Maniyari, P.S. - Maniyari, District -
Muzzafarpur.

.... Petitioners

Versus

1. Kapildeo Pandey
2. Shatrughan Pandey
3. Satyanarayan Pandey
All are sons of Late Brijnandan Pandey
4. Rabindra Pandey
5. Santosh Pandey Both sons of Kapil Deo Pandey
6. Dinesh Pandey
7. Angad Pandey Both sons of Shatrughan Pandey
8. Sanjay Pandey
9. Shambhu Pandey
Both Sons of Satyanarayan Pandey. All are residents of village + P.O. - Dighra
Rampur Sah, P.S. - Sadar, District - Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Respondent/s : Mr. Amrendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 19-06-2018

Heard learned counsel for the petitioners and the
respondents.

2. The petitioners before this court are defendants 1st party
of Title Suit No.553 of 2010 pending in the court of Sub-Judge IV,
Muzaffarpur. They have filed this writ application for quashing the
order dated 25.07.2014 whereby and whereunder the amendment
petition filed by plaintiffs-respondents was allowed. The court below



as per the impugned order amended some of the plot number and its area in different paragraphs of plaint. The plaintiffs-respondents have asserted that on account of wrong entry in Revisional Survey Khatian and also recording of name of defendants in survey paper, the actual area of those plot numbers could not be mentioned in the plaint. The said amendment does not change the nature of the suit and it also does not prejudice the defendants as the suit is at the initial stage of trial.

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

(Sanjay Kumar, J)

Harish/-

AFR/NAFR	
CAV DATE	
Uploading Date	22.06.2018
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