

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24475 of 2013

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Prabhat Kumar @ Sonu Singh Son of Late Keshav Prasad Singh, Resident of: Indu Bhavan, Chhoti Khanjarpur Chouk, Police Station- Adampur, District- Bhagalpur.

.... Petitioner

Versus

Pramod Kumar Singh Son of Late Sheetal Prasad Singh, Resident of: Pakra, P.S.- Nawgachhiya, District- Bhagalpur.

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

5 13-03-2018 This writ application has been filed by the petitioner for quashing the order dated 11.07.2013 passed by learned Subordinate Judge-VII, Bhagalpur in Money Suit No.10 of 2007 whereby and whereunder the amendment petition filed by the plaintiff was allowed.

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

3. It appears that the plaintiff filed the amendment petition before the court below for mentioning the date of cause of action against the defendant which arose on 10.09.2003. The plaintiff further added one more paragraph as paragraph 7(ka) wherein he has stated about the manner of his dispossession from the suit premises and loss caused on account of his dispossession.



The amendments are based on the earlier pleadings made in the plaint. The plaintiff at paragraph 5 of the plaint has stated that on 10.09.2003 the defendant forcibly broke open the lock and took possession of all the articles and started utilizing the same for personal gain. The date of cause of action has already been disclosed by the plaintiff. The amendment, which has been allowed by the court below, is based on the pleadings of the plaintiff and does not prejudice the petitioner in any way.

4. In view of above discussions, I do not find any jurisdictional error in allowing the amendment. This writ application is devoid of merit and is accordingly dismissed.

(Sanjay Kumar, J)

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