

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.241 of 2018

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Dhiraj Kumar, S/o Late Hare Krishna Prasad, R/o vill-Raghunathpur, P.O.-
Motihari Town, P.S. Turkaulia, Dist.-East Champaran

.... Petitioner

Versus

Ram Daras Sahani & Ors

.... Respondents

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Appearance :

For the Appellant/s : Mr. Pravin Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-07-2018

Heard learned counsel for the petitioner.

The petitioner has filed this Civil Miscellaneous petition against the order dated 19.01.2018 passed by learned Sub-Judge-IVth, Motihari, East Champaran, by which the amendment petition of the defendant in the written statement has been allowed.

Learned counsel for the petitioner submits that the defendants were claiming the land as raiyat but by way of amendment, the defendants claimed the land to be Patta Bandobastidar after completion of the evidence of the plaintiff.

Having considered the facts aforesaid, I do not find any reason to interfere in the order impugned simply on the ground that the amendment sought for by the defendants does not change the nature of the suit of the plaintiff. The plaintiff will always get a chance of rebuttal after amendment. The plaintiff if so feels may



adduce additional evidence by filing petition or amendment, if so requires.

Accordingly, this Civil Miscellaneous petition is dismissed with aforesaid observation.

(Prabhat Kumar Jha, J)

Amit/-

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