

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.916 of 2018
In
Civil Writ Jurisdiction Case No.13244 of 2017

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Usha Devi wife of Dr. Pawan Kumar Choudhary Resident of Village- Kanshi,
Kansi Dakhil, P.S. - Simri, District- Darbhanga.

... .. Appellant/s

Versus

1. Bibha Devi Wife of Sri Abinash Kumar Thakur Resident of Village- Kanshi,
P.O.- Kanshi, Gram Panchayat- Kanshi, Police Station- Simri, District-
Darbhanga.
2. Akila Khatoon Wife of Neyaz Ahmad
3. Sewri Devi Wife of Lalit Kumar Sahni Both Resident of Village- Kanshi,
P.O.- Kanshi, Gram Panchayat- Kanshi, Police Station- Simri, District-
Darbhanga.
4. Returning Officer cum Block Development Officer, Keoti Block, Keoti, P.O.
and Police Station- Keoti, District- Darbhanga.
5. District Magistrate cum District Election Officer, Darbhanga at and P.O.
Laheriasarai, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Kumar Jha
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-07-2018 Challenging an interlocutory order passed in a

pending writ petition allowing the amendment in the relief

clause, this appeal has been filed under Clause 10 of the Letters

Patent.

The discretion exercised by the learned Writ Court in

an interlocutory application for amendment cannot be termed as

erroneous or illegal to such an extent that interference at this

interlocutory stage is called for.



It is the admitted position that the petitioner has been granted opportunity to file a detailed counter affidavit to the amendment and, therefore, we see no prejudice caused to the petitioner.

This appeal is dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

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