

HIGH COURT OF CHHATTISGARH, BILASPUR**WP(227) No. 444 of 2015**

1. Bandhan S/o Shri Tikku, aged about 57 years, Caste – Nagesiya, Occupation – Labour, R/o Village – Kardoni, P.S. and Tahsil – Lundra, Revenue and Civil District Surguja (C.G)
2. Shivcharan, S/o Shri Bandhan, aged about 27 years, Caste – Nagesiya, R/o Village – Kardoni, P.S. and Tahsil – Lundra, Revenue and Civil District Surguja (C.G)
3. Shivbaran S/o Shri Bandhan, aged about 25 years, Caste – Nagesiya, R/o Village – Kardoni, P.S. and Tahsil – Lundra, Revenue and Civil District Surguja (C.G)

---- Petitioners/Plaintiffs**Versus**

1. Rudni W/o Bhondu, D/o Ratiram, aged about 35 years, R/o Village – Sargava, P.S. and Tahsil Ambikapur, Revenue and Civil District – Surguja (C.G.).....[Defendant No. 1]
2. State of Chhattisgarh, through Collector, Ambikapur, District Surguja(C.G.)[Defendant No. 2]

--- Respondents

For Petitioners	:	Shri Sunil Tripathi, Advocate.
For Respondent No. 2 / State	:	Shri Adhiraj Surana, Dy. G. A.
None for respondent No. 1		

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/10/18**

1. By the impugned order dated 18.03.2015 (Annexure -P/1), the application filed by the petitioners for amendment has been partly rejected by the trial Court and declined to permit the petitioner for amendment of additional Khasra numbers in the plaint.
2. Learned counsel for the petitioners submits that the impugned order is unsustainable and bad in law as no further evidence is required to be led on the amendment sought for, therefore it ought to have been considered

by the trial Court.

3. I have heard learned counsel for the petitioners and perused the impugned order.

4. As the suit is at the initial stage and considering the nature of the amendment that it would avoid the multiplicity of the proceedings and also that no further evidence will be led by the petitioners on the said application, the application for amendment is allowed subject to payment of cost of Rs. 2000/- to the respondents / defendants but plaintiff will not be granted further opportunity to lead evidence on amended portion of the plaint.

5. With the aforesaid observation, the writ petition stands finally disposed of.

6. A copy of this order be sent to the concerned trial Court through email and Fax for needful and compliance.

SD/-

(Sanjay K. Agrawal)
Judge