

THE HON'BLE SRI JUSTICE S.V.BHATT

C.R.P. No.859 of 2018

ORDER:

The plaintiff prays for deletion of paragraph No.6 of the plaint.

The learned trial Judge has taken note of nature of suit, the stand taken in paragraph No. 6 of the plaint, filing of chief affidavit and now filing of amendment at the stage of cross examination.

The learned counsel contends that on account of mistake on the part of the counsel appearing for the plaintiff, this mistake has happened and if the stand taken in paragraph No.6 of the plaint is allowed to remain on record, the petitioner/plaintiff will suffer great prejudice.

I am afraid, the ground now canvassed cannot be treated as a circumstance for, particularly having regard to the facts and circumstances of this case, as a ground for amendment of the plaint.

The learned trial Judge to the extent required for disposing of the present application adverted to all the circumstances and declined to exercise his jurisdiction.

The Civil Revision Petition does not make a ground for interference under Article 227 of Constitution of India.

The Civil Revision Petition fails and accordingly dismissed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 14.02.2018
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