

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227. No. 536 of 2018

1. Vijay Shankar S/o Kele Ram, Aged About 33 Years Occupation Agriculture.
2. Chavinath Ram S/o Jhibala Ram, Aged About 50 Years Occupation Agriculture.
3. Harirm S/o Jhinala Ram Aged About 47 Years.
4. Savini Bai W/o Late Dinbandhu, Aged About 48 Years.
5. Sagar S/o Dinbandhu Ram, Aged About 27 Years.
6. Shiva Ram, S/o Dinbandhu Ram, Aged About 24 Years.
7. Sonam S/o Dinbandhu Ram, Aged About 22 Years.

All by Caste Munda, Permanent Address- Village Lodham, P.C. No. 22, Revenue Circle- Jashpur, Tahsil And District Jashpur Chhattisgarh.

---- Petitioner

Versus

1. The State Of C.G. Through Secretary, Education Department/ School Education Department, Mahanadi Bhawan, Naya Raipur, Raipur District Raipur Chhattisgarh.
2. The State Of Chhattisgarh Through Secretary, Department Of Scheduled Caste And Scheduled Tribe (Education), Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh.
3. The State Of Chhattisgarh Through Secretary, Health And Medical Department, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh.
4. The Collector, Jashpur District Jashpur, Government Of Chhattisgarh, Jashpur, District Jashpur Chhattisgarh.
5. Sunil Kumar Nayak, The Then SDO (Revenue) Cum SDM, At Present Posted As SDM, Aarang District Raipur Chhattisgarh.
6. Narhari Prasad Patel S/o Sitaram Patel, R/o Village Lodham, Tahsil And District Jashpur Chhattisgarh. Village Lodham, Tahsil And District Jashpur Chhattisgarh.
7. Parasnath S/o Soma Ram, R/o Village Lodham, Tahsil And District Jashpur Chhattisgarh.

---Respondents

For Petitioner	:	Shri A.K. Prasad, Advocate.
For State	:	Shri Arun Sao, Dy. AG.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

02/01/2019

1. By the impugned order the trial Court has rejected the amendment application seeking leave of amendment in the plaint inserting relief of damages.
2. Learned counsel for the petitioners submits that the grant of amendment will avoid multiplicity of suit and therefore, the trial Court ought to have granted amendment.
3. I have heard learned counsel for the parties and perused the impugned order.
4. Since, the amendment is consequential in nature and it avoids multiplicity of the suit, it would be expedient to grant the amendment as Para 34A only

subject to payment of cost of Rs.2,000/- to defendant No.5 and further he will be at liberty to file application for modification if aggrieved by the order. Let amendment be incorporated within the period of two weeks from the date of receipt of a copy of this order.

5. A copy of this order be sent to the concerned trial Court directly and through E-mail and Fax.

Sd /-

(Sanjay K. Agrawal)
Judge