

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.289 of 2020

Sanjay Kumar Singh son of Akhileshwar Singh @ Akhileshwar Prasad Singh
Kayam resident of Village- Naya Gaon Baherawa Gachhi, Post Office and
Police Station- Naya Gaon, District- Saran

... .. Petitioner/s

Versus

1. Ramayan Bhagat son of Late Prasadi Bhagat resident of Village- Banwari Chak, Naya Gaon, Baherawa Gachhi, Police Station- Sonepur (At present Police Station- Naya Gaon), District- Saran
2. Smt. Shakuntala Devi wife of Ramayan Bhagat, resident of Village- Banwari Chak, Naya Gaon, Baherawa Gachhi, Police Station- Sonepur (At present Police Station- Naya Gaon), District- Saran
3. Mohammad Usman son of Rahman Kayam resident of Village- Banwari Chak, at present Naya Gaon, Baherawa Gachhi, Police Station- Naya Gaon, District- Saran
4. Mohammad Azmuddin son of Rahman Kayam, resident of Village- Banwari Chak, at present Naya Gaon, Baherawa Gachhi, Police Station- Naya Gaon, District- Saran
5. Mohammad Isha son of Rahman Kayam, resident of Village- Banwari Chak, at present Naya Gaon, Baherawa Gachhi, Police Station- Naya Gaon, District- Saran
6. Asma Khatoon wife of Usman Mian resident of Village- Banwari Chak, at present Naya Gaon, Baherawa Gachhi, Police Station- Naya Gaon, District- Saran
7. Jitendra Singh son of Yogendra Singh resident of Village- Naya Goan, Mekra, Post Office and Police Station- Naya Gaon, District- Saran
8. Majoor Mian @ Majnu son of Moharam Mian Mataufa, resident of Village- Naya Goan, Baherawa Gachhi, Post Office and Police Station- Naya Gaon, District- Saran
9. Kaushalya Devi wife of Jagdish Sharma, resident of Mohalla- Meenapur Kharachi Tola, Post Office and Police Station- Hajipur, District- Vaishali
10. Narsingh Sharma, son of late Ganga Vishun Sharma, resident of village- Naya Gaon, District- Saran at presently residing at Bhadesua Mohanlal Ganj, Lucknow, Uttar Pradesh
11. Ram Bharose Sharma son of Late Ganga Vishu Sharma resident of Village- Naya Goan, Post Office and Police Station- Naya Gaon, District- Saran
12. Shatrudhan Sharma, son of Late Ganga Vishu Sharma resident of Village- Naya Goan, Post Office and Police Station- Naya Gaon, District- Saran
13. Amod Sharma son of Late Paras Nath Sharma, resident of Village- Naya Goan, Post Office and Police Station- Naya Gaon, District- Saran
14. Pramod Sharma son of Late Paras Nath Sharma, resident of Village- Naya Goan, Post Office and Police Station- Naya Gaon, District- Saran



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2022 Heard Mr. Manoj Kumar, learned counsel for the
petitioner.

The petitioner is aggrieved by the impugned order dated 23.8.2019 by which the learned trial court has allowed the amendment sought by the Respondents-Plaintiffs in the plaint. The petitioner is defendant in the suit.

The Plaintiffs-Respondent 1st set filed a suit bearing Title Suit No. 219 of 2017 for declaration of title and for setting aside the sale deed executed in favour of the Defendant pertaining to Plot No. 404.

Learned counsel for the petitioner submits that by the amendment, the plaintiffs are trying to bring a new case inasmuch as the Plaintiffs sought an amendment that in the sale deed pertaining to Plot No. 424, the Plot No. 424 has been mentioned by mistake instead of Plot No. 404.

I have heard learned counsel for the petitioner and have gone through the impugned order.

It appears that the learned court below after having



heard both the parties, has come to the conclusion that the proposed amendment shall not change the nature of the suit. I do not find any illegality in the impugned order.

Accordingly, this application stands dismissed.

(Anil Kumar Sinha, J)

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