

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.733 of 2018

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Mohammad Subhani Hassan son of Hazi Mohammad Salaudin Haidar,
resident of Village- Agrawa Motihari, P.O. and P.S.- Motihari Nagar, District-
East Champaran.

... .. Petitioner/s

Versus

1. Basant Kumar
2. Arun Kumar.
Both are sons of Late Vijay Prasad.
3. Sunil Kumar, son of Binod Prasad. All are residents of Mohalla- Miscot,
Post Office- Motihari, Police Station- Motihari Nagar, District- East
Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2022 Heard learned Counsel for the petitioner.

The petitioner is aggrieved by the order, dated
19.03.2018, passed by learned Sub Judge-III, Motihari, in Title
Suit No. 363 of 2017, by which the amendment sought by the
plaintiffs-respondents has been allowed by the learned Court
below.

Learned Counsel for the petitioner-defendant submits
that the plaintiffs have sought the amendment, which will
change the nature of the suit, but the learned Court below,
without appreciating this fact, has allowed the amendment
sought by the plaintiffs-respondents.



I have heard learned Counsel for the petitioner and have gone through the materials available on record, including the impugned order. From perusal of the impugned order, it appears that the learned Court below has allowed the amendment sought by the plaintiffs on the ground that the suit has not yet commenced and has also come to the conclusion that the amendment shall not change the nature of the suit.

Accordingly, I do not find any infirmity in the impugned order.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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