

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.587 of 2017

- 1.1. Lavkush Tanti @ Kusho Tanti Son of Late Munga Devi Resident of Village- Bora, P.S. Sanhoula, District Bhagalpur.
- 1.2. Pairu Tanti Son of Late Munga Devi Resident of Village- Bora, P.S. Sanhoula, District Bhagalpur.
- 1.3. Sanjay Tanti Son of Late Munga Devi Resident of Village- Bora, P.S. Sanhoula, District Bhagalpur.
- 1.4. Punam Devi W/o Sushildeo Tanti Resident of Maheshi, P.O. and P.S. Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

Jageshwar Prasad Singh Son of Ishwar Pd. Singh Resident of Village- Bora, P.S. Sanhoula, District Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar
For the Respondent/s : Mr.Sandeep Patil

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 06-10-2023 Heard the parties.

2. This application has been filed against part of order dated 14.12.2016 passed by learned Munsif, Kahalgaon, Bhagalpur in Title Suit No. 156 of 1998 whereby and whereunder the petition filed by the petitioner under Order 6 Rule 17 read with Section 151 of the Code of Civil Procedure for certain plaint has been rejected.

3. By the impugned order the amendment petition dated 26.10.2016 has been rejected.

4. I have gone through the amendment petition. In the opinion of this Court the amendment sought for do not



change the nature of the suit and in view of the law laid down by the Hon'ble Supreme Court in the case of ***Life Insurance Corporation of India Vs. Sanjeev Builders Private Limited and Another AIR 2022 SCC 4256***, this application is allowed.

5. Both the parties may take necessary steps pursuant to the amendment i.e. the defendant may file additional written statement and thereafter if the petitioner or the defendant want to adduce further evidence they are permitted to do so.

(Sandeep Kumar, J)

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