

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.2178 of 2017

Pradeep Choubey Son of Late Bagesar Choubey, Resident of Village-Khajuriya, P.O.-Khajuriya, P.S.-Sindhwaliya, District-Gopalganj.

... .. Petitioner

Versus

1. Ram Chandra Choubey, Son of Late Bhagwat Choubey.
2. Awadhesh Choubey, Son of Late Dharamdeo Choubey.
3. Champa Devi, Wife of Dharamdeo Choubey.

All are Resident of Village P.O.-Khajuriya, P.S.-Sindhwaliya,
District-Gopalganj.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-08-2023 The petitioner is challenging the order dated 29.08.2017 passed by learned Sub Judge, IV, Gopalganj, in Title Suit No.415 of 2020, by which the amendment petition filed by the petitioner-original plaintiff has been rejected.

2. From reading of the amendment petition, it appears that the petitioner wants to recall the admission what has been made in the plaint and it will change the nature of the suit, which is not permissible 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* reported in *2022 LiveLaw (SC) 729*.



3. In view of the above, I do not find any
illegality in the impugned order. Accordingly, this application is
dismissed.

(Sandeep Kumar, J)

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