

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16884 of 2011**

SHYAM SUNDER CHAUDHARY, son of Sri Krit Chaudhary, resident of village + mohalla-Pokhra-Par Shahpur, Police Station-Aurangabad (T), District-Aurangabad

... .. Petitioner/s

Versus

1. Krit Chaudhary, son of late Janki Choudhary
2. Surendra Chaudhary
3. Mohan Chaudhary
4. Dugul Chaudhary
5. Bajrangi Chaudhary
6. Udai Chaudhary

2 to 6 are sons of Krit Chaudhary and all are resident of village + Mohalla-Pokhrapur Shahpur, Police Station-Aurangabad(T), District-Auranabad(Bihar).

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Mrigendra Kumar  
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

5      15-02-2023              Though the present writ petition has been filed, challenging the order dated 16.9.2008, passed by the Sub-Judge I, Aurangabad, in Partition Suit No. 17/2003, whereby and whereunder the amendment petition, filed by the petitioner, has been dismissed, however, the learned counsel for the petitioner has submitted that the petitioner had sought a simple amendment to the effect that in the description of the suit property, in the plaint, the place mentioned as Shahpur be replaced &



depicted as Aurangabad.

This Court finds that the aforesaid amendment, sought for by the petitioner, depends on the evidence to be adduced, hence, the learned counsel for the petitioner, who is also of the same view, seeks liberty on behalf of the petitioner to adduce appropriate evidence in support thereof, in case the suit proceedings are still surviving.

Accordingly, the present writ petition stands disposed off as not pressed, however, with the aforesaid liberty to the petitioner.

**(Mohit Kumar Shah, J)**

Ajay/-

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