

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.660 of 2023

1. Baijnath Singh Son of Late Subedar Singh, Resident of Village - Amari, P.O. - Karvandiya, P.S. Sasaram (Mufassil), District - Rohtas (Sasaram).
2. Shailesh Kumar, Son of Late Ram Bahadur Singh, Resident of Village - Amari, P.O. - Karvandiya, P.S. Sasaram (Mufassil), District - Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. Sanjay Kumar Singh Son of Khakhanu Singh, Resident of Village - Khudhanu, P.S. Agarar, District - Rohtas (Sasaram).
2. Mananjay Singh, Son of Khakhanu Singh, Resident of Village - Khudhanu, P.S. Agarar, District - Rohtas (Sasaram).
3. Sunil Kumar Singh, Son of Khakhanu Singh, Resident of Village - Khudhanu, P.S. Agarar, District - Rohtas (Sasaram).
4. Rajiya Bibi, Wife of Dukhi Sah, D/o Usman Sah, Resident of village- Amari, P.O. - Karvandiya, District- Rohtas (Sasaram). At present residing at village - Khadauli, P.O. and P.S.- Chenari, District- Rohtas (Sasaram).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg
For the Respondent/s : Mr.Babu Nandan Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 04-10-2023 Heard learned counsel for the petitioners and learned counsel for the respondents.

2. This application has been filed for quashing the order dated 27.03.2023 passed by learned Sub-Judge V, Rohtas at Sasaram in Title Suit No. 319 of 2017.

3. Learned counsel for the respondents submits that he has appeared on behalf of the respondent No. 01 and he has also got Vakalatnama on behalf of respondent Nos. 02 and 03. He is permitted to file Vakalatnama on behalf of respondent



Nos. 02 and 03.

4. The amendment sought for by the petitioners is only a subsequent event of dispossession and it does not change the nature of the suit.

5. In view of the Judgment of 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.

6. Accordingly, the petition dated 12.09.2022 is hereby allowed.

(Sandeep Kumar, J)

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