

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.659 of 2022

Ram Raghuwar Sharma Son of Late Ram Sharan Thakur, Resident of Village-Vishanpur Dhodhani, Tola-Balha, P.S.-Parsauni, District-Sitamarhi, at present residing at-Jawahar Nagar, near Don Bosco School, Bhurkunda Tuntuwa, Bharkunda, Ramgadh.

... .. Petitioner/s

Versus

1. Dhodha Thakur son of Roudi Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
2. Mahendra Thakurm, son of Roudi Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
3. Ram Pratap Thakur, son of Roudi Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
4. Rambaran Mistri, son of Roudi Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
5. Ram Karan Thakur, son of Roudi Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
6. Nandu Thakur, son of Late Bhola Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
7. Upendra Thakur, son of Late Bhola Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
8. Naveen Sharma, son of Late Kishori Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
9. Subodh Kumar, son of Late Kishori Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
10. Mostt. Nirmala Devi, Wife of Late Kishori Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
11. Harendra Thakur, son of Late Sita Ram Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
12. Shivjee Thakur, son of Late Sita Ram Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
13. Raj Kumar Thakur son of Late Sita Ram Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
14. Rajendra Sharma, son of Late Daroga Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
15. Ram Janam Sharma, son of Late Daroga Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
16. Shiv Kumar Sharma, son of Late Daroga Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
17. Baidyanath Thakur, son of Gonaur Thakur, resident of Village-Vishanpur Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.
18. Amarlal Thakur, son of Gonaur Thakur, resident of Village-Vishanpur



Dhodhanii, Tola-Balha, P.S.-Parsauni, District-Sitamarhi.

19. Mostt. Rina Devi, Wife of Late Jagarnath Thakur, Resident of Village-Bhashar Machhaha, P.S. and District Sitamarhi.
20. Luliya Devi, Wife of Late Shivilal Thakur, Resident of Village-Basatpur, P.S.-Riga, District Sitamarhi.
21. Dhodhai Thakur, son of Jagarnath Thakur, x
22. Ram Aagya Thakur, son of Jagarnath Thakur, x
23. Ramjeevan Thakur, son of Jagarnath Thakur, x
24. Fekani Devi, Wife of Bindeshar Thakur, Resident of Village-Vishanpur, P.S.-Mejorganj, District-Sitamarhi.
25. Anjana Devi, Wife of Umashankar Sharma, Resident of Village-Pakari, P.S.-Piprahi, District-Sheohar.
26. Manju Devi, Wife of Vinod Sharma, Resident of Village-Tilaiya, P.S.-Tilaiya, District-Hajaribagh.
27. Rita Devi, Wife of Shambhu Sharma, Resident of Village-Amba Ojha Tola, P.S. Piprahi, District-Sheohar.
28. Indu Devi, Wife of Ramjee Thakur, Resident of Village-Jamua, P.S. Bairgania, District-Sitamarhi.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 12-10-2023 Heard learned counsel for the petitioner.

2. The amendment sought for by the plaintiffs has been allowed by the Court below and by the impugned amendment the nature of the suit has not been changed.

3. The amendment is bona fide and not a mala fide.

4. In view of the law laid down by the Supreme Court in the case of *Life Insurance Corporation of India Vs. Sanjeev Builders Private Limited and Another AIR 2022 SCC 4256*, no ground for interference in the impugned order is made out.



5. Accordingly, this application is dismissed.

6. The Court below is directed to conclude the Suit within a year from the date of receipt/communication of a copy of this order without giving any unnecessary adjournment to either of the parties and will proceed ex-parte against the non-cooperating parties.

(Sandeep Kumar, J)

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