

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13909 of 2015

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Kirti Narayan Singh son of Late Sukhdeo Singh @ Sukhdeo resident of village Sarave, Tola Nandiha, P.S. Khajauli, District Madhubani.

... .. Petitioner/s

Versus

1. Raman Singh and Ors
2. Jhaman Singh
3. Ram Bahadur Singh
4. Ram Udgar Singh All sons of Late Dashrath Singh All residents of village Sarave, Tola Nandiha, P.S. Khajauli, District Madhubani.
5. Anand Singh @ Anant son of Late Ram Sharan Singh
6. Dudhi Singh son of Late Ram Sharan Singh
7. Tirpit Singh son of Anand Singh @ Anant
8. Bhuwaneshwar Singh son of Dukhi Singh All residents of village Sarave, Tola Nandiha, P.S. Khajauli, District Madhubani.
9. Most Shakunti Devi wife of Late Sukhdeo Singh @ Sukhdeo
10. Parikshit Kumar Singh
11. Sanjiv Kumar Singh Both sons of Late Sukhdeo Singh @ Sukhdeo
12. Smt. Kumari Geeta wife of Ramashish Singh, daughter of Late Sukhdeo Singh @ Sukhdeo All residents of village Sarave, Tola Nandiha, P.S. Khajauli, District Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahasweta Chatterjee
For the Respondent/s : Mr. Mujtabaul Haque (Gp 12)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

11 31-08-2023 Heard learned counsel for the parties.

Learned counsel for the petitioner submits that though some of the amendments were allowed by the impugned order amendment as mentioned in paragraph 13 of the amendment petition has been disallowed. She has further submitted that the amendment if allowed will not change the nature of the suit and it is bonafide. The suit has not proceeded any further after examination of one witness.



Sri Ratnakar Jha has vehemently opposed the application and has submitted that from the impugned order it will appear that the petitioner has prayed for a number of amendments and most of the amendments have been allowed and it appears that the plaint has been drafted casually. The litigant should not be given chance to make amendments in almost all the paragraphs.

I have heard the submissions of the parties. I am of the view that the amendment sought for in paragraph 13 will not change the nature of the suit and in these circumstances, this application is allowed subject to payment of Rs. 5,000/-. The cost shall be deposited in the Court below and paid to the defendant no.1-4.

The amendment as contained in paragraph 13 is allowed.

The impugned order is partially set aside/quashed. The suit is of 2008. It is expected that the suit be disposed of expeditiously, if the parties cooperate.

(Sandeep Kumar, J)

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