

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.821 of 2022**

1. Surendra Singh S/o Late Ram Chandra Singh, Resident of Village- Pakari, P.O. and P.S. Rajpur, Dist- Rohtas.
2. Pramod Singh S/o Late Ram Chandra Singh, Resident of Village- Pakari, P.O. and P.S. Rajpur, Dist- Rohtas.
3. Ayodhya Kumar S/o Late Ram Raj Singh Resident of Village- Pakari, P.O. and P.S. Rajpur, Dist- Rohtas.
4. Binod Kumar Singh S/o Late Kamala Singh and Grand son of Late Mahipat Singh, Resident of Village- Pakari, P.O. and P.S. Rajpur, Dist- Rohtas.
5. Jag Narayan Singh S/o Late Ramanand Singh, Resident of Village- Pakari, P.O. and P.S. Rajpur, Dist- Rohtas.
6. Ujagir Singh S/o Late Ramanand Singh, Resident of Village- Pakari, P.O. and P.S. Rajpur, Dist- Rohtas.
7. Nathuni Singh S/o Late Ramjee Singh, Resident of Village- Pakari, P.O. and P.S. Rajpur, Dist- Rohtas.
8. Matura Devi W/o Keshwar Singh, Resident of Village- Tendua, P.O. and P.S. Gorari, District- Rohtas.

... .. Petitioner/s

Versus

1. Sri Bhagwan Singh S/o Late Gupteshwar Singh, Resident of Village- Pakari, P.O. and P.S. Rajpur, Dist- Rohtas.
2. Laxman Singh S/o Late Bhuneshwar Singh, Resident of Village- Pakari, P.O. and P.S. Rajpur, Dist- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh
For the Respondent/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 01-09-2023 Heard the parties.

2. The present application has been filed for quashing the order dated 20.10.2022, passed in Title Suit No. 328/2009 by learned Sub-Judge-III, Bikramganj, Rohtas by which amendment petition filed on behalf of the petitioners/plaintiffs



has been rejected on the ground that it has been filed when the case is on the verge.

3. Learned counsel for the petitioners submitted that the petitioners want to add some schedule and he doesn't want to examine any witness in the case. He further submits that the addition of the schedule will not change the nature of the suit and there is no intention of the petitioners to delay in disposal of the suit.

4. Learned counsel for the respondents have submitted that there has been delay in filing the amendment application and the petitioners have not included some property which are in Amarpur and Pakri.

5. Learned counsel for the petitioners submit that they had no knowledge about those properties and therefore they have not been able to add the same and if it comes to his knowledge then he will take steps in accordance with law.

6. I have considered the submissions of the parties.

7. In my opinion, the amendment is necessary for the ends of justice and no prejudice or delay shall be caused in the matters as the amendment does not change the nature of the suit.

8. In view of the above, this application is allowed.

9. The order dated 20.10.2022 is set aside and the



amendment petition dated 17.08.2016 is allowed.

10. The trial court is directed to incorporate the amendment and proceed with the hearing of the case so that the case will be decided at the earliest.

(Sandeep Kumar, J)

Ranjeet/-

U			
---	--	--	--

