

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1691 of 2015

In
Letters Patent Appeal No.1057 of 2000

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Sumitra Devi and Ors

... .. Petitioner/s

Versus

Raghunath Singh and Ors

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s: Mr.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 08-05-2024

The present M.J.C. is for modification of the order dated 20.05.2015 passed in L.P.A. No. 1057 of 2000 and it is not maintainable for the reasons that correction of the 4th Respondent name and his father's name in L.P.A. No. 1057 of 2000 is not permissible, for the reasons that whatever the mistake or error pointed out in the present M.J.C. holds good in the Letters Patent Appeal (Pleadings) if there are any error committed in the pleadings of the L.P.A. cannot be subject matter of modification of L.P.A. order unless and until foundation material like pleadings in the L.P.A. is altered in the manner known to the law.

2. Accordingly, the present M.J.C. stands



dismissed, reserving liberty to the petitioner to file a Civil Review petition against order dated 20.05.2015 passed in L.P.A. No. 1057 of 2000 to the extent of correcting the pleadings in the L.P.A. filed by the appellant. If such Civil Review petition is filed, the concerned Court is requested to consider the limitation in the light of Section 14 of the Limitation Act, 1963 read with the Hon’ble Supreme Court decision in the case of ***Purni Devi & Anr. Versus Babu Ram & Anr.*** reported in ***Livelaw 2024 (SC) 273.***

3. With the above observation, the present petition stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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