

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1677 of 2017

1. Narad Muni Shah and Ors Son of late Ramje Shah
2. Panch Ratan Shah @ Pach Ratan Shah
3. Sunil Shah Both Sons of Late Surya Nath Shah
4. Murati Kumar Wife of Late Ram Akbal Shah
5. Pramod Shah @ Pramod Kumar Gupta
6. Binod Shah @ Binod Kumar Both Sons of late Ram Akbal Shah all Resident of Village-Ibrahimpur, P.S. Piro District Bhojpur, Ara.

... .. Petitioner/s

Versus

1. Dwarika Shah Son of Late Janeshar Shah, Resident of Village - Ibrahimpur, P.S. Piro, Dist. Bhojpur (Ara).
2. Munarika Shah Son of Late Janeshar Shah, Resident of Village - Ibrahimpur, P.S. Piro, Dist. Bhojpur (Ara).
3. Ram Shahai Shah Son of Late Ram Dular Shah Resident of Village - Ibrahimpur, P.S. Piro, Dist. Bhojpur (Ara).
4. Ram Babu Shah Son of Late Ram Dular Shah Resident of Village - Ibrahimpur, P.S. Piro, Dist. Bhojpur (Ara).
5. Ramdhar Shah Son of Late Ram Dular Shah Resident of Village - Ibrahimpur, P.S. Piro, Dist. Bhojpur (Ara).
6. Ram Kishore Shah Son of Late Ram Dular Shah, Resident of Village - Ibrahimpur, P.S. Piro, Dist. Bhojpur (Ara).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Aditya Nath Pandey, Advocate
For the Respondent/s	:	Mr. Maya Shankar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 22-08-2025 The present Civil Miscellaneous is filed for quashing of the order dated 12.07.2017 passed in Title Suit No. 35 of 2019/333 of 2015 by learned Munsif, Piro, Bhojpur at Ara in a petition dated 20.02.2017 filed on behalf of defendants under Order VI Rule 17 and 151 of the code of Civil Procedure.



2. Learned counsel for the petitioner submits that after completing the evidence of plaintiff, the proposed amendment has been allowed in WS of defendant and presently, case is running for evidence of defendant.

3. Both the learned lawyers of the parties argued that the proposed amendment is with respect to “Ramdeni Sah and Ram Sharan Sah father’s name – Ramjee Teli @ Chunni Sah” which has been allowed in Title Suit No. 35/2009.

4. Learned counsel for the respondent submits that between the same parties one another Title Suit No. 482 of 2011 is also going on in which the same amendment has been made and allowed by the Court and this amendment does not change the nature of suit in any manner and this fact has been held by the Trial Court in his impugned order.

5. After going through the aforesaid facts and considering argument of both the parties, it appears that there is no illegality and impropriety in the impugned order. However if any prejudice is caused with respect to the pleaded facts of the plaintiff, he will be at liberty to rebut those facts by getting framed an issue only to this regard.



6. Accordingly, the Civil Miscellaneous No. 1677
of 2017 stands disposed of.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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