

In the Court of Munsif, Shahpur Patori, Samastipur.

T.S-101/2023

Manoj Kumar Chaudhary-----Plaintiff

Vs.

Block Education Officer & Others-----Defendants

Order

26-04-2024

Record has been put up for order on the petition of the plaintiffs dated 05-04-2024 for amendment in the plaint. There is no rejoinder as the suit is at the stage of admission.

The submission of the ld counsel for the plaintiff is that in the above mentioned suit is fixed for hearing on the point of admission of the present suit. Because of oversight of the conducting advocate and junior advocate few legal aspects had been misrepresented in the plaint which needs to be amended. That the proposed amendment is as follows: In relief- B of the plaint, the word finding be replace as binding and the words ‘ and thereby declaration as rectification of the said letter’ be omitted. As per the ld. counsel for the plaintiff, the proposed amendment is very formal in nature and it shall not change the nature of suit and if the proposed amendment is not allowed, irreparable loss would be caused to the plaintiff. It is therefore prayed to allow this amendment petition.

Upon hearing the Ld. Counsel for the plaintiff, perused the record including the proposed amendment as submitted by the plaintiff, it appears by the proposed amendment, the plaintiff seek permission to replace a word and omit in relief portion of the plaint. The proposed amendment is in fact formal in nature and it will not change the nature of the suit. The suit is at the stage of admission and thus no prejudiced would be caused to the defendants.

Considering the above discussion, fact and circumstances of this case the petition of the plaintiff dated 05-04-2024 is hereby allowed. The plaintiff is directed to incorporate the proposed amendments within 14 days from the date of this order. The petition dated 05-04-2024 is accordingly disposed of. Put upon 20/05/2024 for hearing on admission.

Munsif,
Shahpur Patori.