

Bikram Singh and Others

Vs

Ram Baboo and Others

Civil Appeal No. 264 of 1981

(D. A. Desai, A. P. Sen JJ)

20.01.1980

JUDGMENT

DESAI, J. –

1. In our opinion, this is a case in which the trial court and the revisional courts were in error in refusing amendment of the plaint. The was a consequential amendment which ought to have been allowed. Accordingly this appeal is allowed. Application for amendment is accordingly granted and the trial be proceeded further in accordance with law. It will be upon to the defendants to submit written statement to amend plaint.

2. In the circumstances, there will be no order as to costs.

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