

SUPREME COURT OF INDIA

Bikram Singh

Vs.

Ram Baboo

C.A.No.264 of 1981

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

20.01.1980

JUDGEMENT

DESAI, J.:-

1. In our opinion, this is a case in which the trial Court and the Revisional Court were in error in refusing amendment of the plaint. This 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 open to the defendants to submit written statement to amend plaint.

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

Appeal allowed.

