

Sudama Prasad Sah

Vs

Ram Singhason Choudhry and Others

Civil Appeal No. 3523 of 1982

(P. N. Bhagwati, A. P. Sen, R. S. Pathak JJ)

08.12.1982

ORDER

This is an appeal against the order passed by the High Court in revision setting aside an order of the trial court allowing amendment the plaint in a suit for specific performance filed by the appellant against the respondents. It is true that the High Court ordinarily should not interfere in revision with an order passed by the subordinate court allowing an amendment and in this case the amendment only sought to introduce an express averment of readiness and willingness to carry out his part of the contract and it will be for the trial court to decide whether such argument is valid or not. In the circumstances we reject the appeal with no order as to costs.

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