

Supreme Court of India

Bikram Singh And Ors. vs Ram Baboo And Ors. on 20 January, 1980

Equivalent citations: AIR 1981 SC 2036, (1982) 1 SCC 485

Author: D Desai

Bench: A Sen, D Desai

JUDGMENT D.A. 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.