

9 16.4.2019

gd & ssd

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH
AT JALPAIGURI
APPELLATE SIDE

CO 16 of 2019

Prafulla Chandra Sarkar
Vs.
Narban Tea Export Limited & Anr.

Mr Dipankar Deb

... for the petitioner.

Since it is the admitted position that the amendment application was carried to court at a stage when the trial had commenced and the amendment was to correct a typographical mistake, it is evident that the petitioner could have amended the petition upon exercise of due diligence at an earlier date. In the circumstances, the trial court was perfectly justified in rejecting the prayer for amendment and the order impugned does not call for any interference.

CO 16 of 2019 is dismissed.

There will be no order as to costs.

(Sanjib Banerjee, J.)