

OD-21

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

IA NO. GA/4/2021
In CS/274/2017

SMT. SUCHITRA CHATTERJEE & ANR.
VERSUS
SRI ARUN KUMAR GANGOLY & ORS.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 24th August, 2021.

Appearance:
Mr. Rajesh Upadhyay, Adv.
Ms. Debasree Dhamali, Adv.
Mr. Soumo Chaudhury, Adv.

Mr. Arijit Bhowmick, Adv.

The Court: The advocate-on-record for the plaintiff seeks amendment of the plaint on the ground that the Department is unable to draw up the decree on account of a changed spelling of the names of defendants. It appears from the records that the suit, which is a partition suit, was decreed on 12th December, 2019 by a learned Single Judge which recorded the terms of settlement arrived at between the parties before the Mediator. The Court was pleased to decree the suit in terms of the terms of settlement before the Mediator as modified by the order dated 12th December, 2019.

A submission has been made on behalf of the petitioners that the Assistant Registrar of the concerned Department asked the parties to

clarify the correct name of the defendant on 21st January, 2021 and 17th May, 2021. The present application was filed on 10th August, 2021.

Upon hearing learned Counsel, this Court is of the view that GA/4/2021 should be allowed by permitting the proposed amendment indicated in the proposed plaint. The petitioner is given leave to re-affirm and re-verify the plaint upon amendments being carried out by the Department which should be done within a period of two weeks from date.

GA/4/2021 is allowed and disposed of in terms of the above.

(MOUSHUMI BHATTACHARYA, J.)