

11.05.2022
SL No.25
Court No.8
(gc)

**FMA 553 of 2022
With
CAN 1 of 2018
(Old No: CAN 1658 of 2018)**

**Ajijul Sekh & Ors.
Vs.
Liakat Sekh & Ors.**

Mr. Partha Pratim Roy,
...for the Appellants.

This appeal is directed against an order dated 30th August, 2017 by which the First Appellate Court has remanded the matter to the Trial Court for recording evidence and arriving at a finding for which it has now become necessary for amendment of the plaint. The order amending the plaint at the appellate stage is not disputed.

On such consideration, we do not find any reason to interfere with the order passed by the learned Additional District Judge, 2nd Court, Jangipur, Murshidabad.

Accordingly, the appeal being FMA 553 of 2022 and the application being CAN 1 of 2018 (Old No: CAN 1658 of 2018) stands dismissed.

However, there shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Sugato Majumdar, J.)

(Soumen Sen, J.)