

08.07.2022
Item No.18
Court No.18
AJ.

C.O. 1698 of 2022
Deb Prasanna Jash
-Vs-
Sitaram Jash & Anr.

Mr. Bhagbat Chaudhuri,
Ms. Mousumi Arji.
....for the petitioner.

The defendant in a suit for eviction is the petitioner of the present application under Article 227 of the Constitution of India which is directed against Order No. 41 dated 2nd June, 2022 passed by the 2nd Court of the learned Civil Judge (Junior Division), Arambagh, District Hooghly in the said suit being Title Suit No. 21 of 2016.

The petitioner sought amendment of the written statement after commencement of trial without offering any explanation as to why such amendment could not be prayed for earlier.

The proposed amendment is hit by proviso appended to Order VII Rule 17 of the Code of Civil Procedure.

The order impugned dismissing the said application for amendment, therefore, does not call for any interference.

C.O. 1698 of 2022 is dismissed without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)