

21.06.2022
(D/L-29)
Ct.-18
(Susanta)

C.O. 4378 of 2019

Sri Bhanu Kumar Maity & Ors.
-Vs-
Abdul Sattar Sah & Ors.

Sk. Rejaul Alam,
.... For the Petitioners.

Mr. Mrinal Kanti Ghosh,
Mr. Sunanda Mohan Ghosh,
.... For the O.P No. 1, 2 (ka) to 2(cha).

The revisional application under Article 227 of the Constitution of India is at the instance of the plaintiff in a suit for declaration of title and is directed against the order no. 130 dated August 27, 2019 passed by the learned Civil Judge (Junior Division), Kakdwip, District 24-Parganas (South) in Title Suit no. 182 of 2006.

The learned Trial Judge by the order impugned has dismissed an application filed by the petitioners seeking amendment of the plaint on the ground that the trial of the suit has commenced.

The application for amendment does not offer any explanation satisfying the requirement of proviso appended to Order VI Rule 17 of the Code of Civil Procedure.

The learned Trial Judge, therefore, has rightly dismissed the said application for amendment.

This Court does not find any reason to interfere with the order impugned.

C.O. 4378 of 2019 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.)