

Item No. 32  
03.10.2023  
Court. No. 19  
GB

C.O. 1533 of 2023

Basiruddin Sk. & Anr.  
Vs.  
Sad Akkas & Anr.

*Mr. Tapan Bhattacharya,  
Mr. Debapriya Samanta,  
Mr. Avirup Bhattacharya.*

*...for the Petitioners.*

The order impugned does not call for any interference. At the stage of evidence, the plaintiffs wanted to amend the quantum of land, in respect of which the suit is pending, to 9 decimals instead of 7 decimals.

The learned court found from the evidence on record, that the quantum of land in the R.S. record of rights, in the sale deed relied upon by the plaintiff and all other documents which were exhibited that the quantum of land was 7 decimals. The plaint case was based on such document.

Almost at the conclusion of the evidence, the plaintiff wanted to amend the plaint by increasing the quantum of land to 9 decimals. Such amendment was based on the plots information and not on the other exhibits. The learned court rightly rejected the application for amendment. It is for the plaintiff to prove his case and the area under his occupation.

Accordingly, the revisional application is dismissed.

All the parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**