

In the matter of : Rina Das

1. The parties are not represented despite service of administrative notice.
2. The revisional application impeaches the order No. 67 dated 11.6.2014.
3. By the order impugned, learned Trial Court, was pleased to reject the implication under Order VI Rule 17 of Code of Civil Procedure by which the plaintiff intended to incorporate some facts, took place subsequent to filing of the suit.
4. Learned Trial Court refused to allow the application as the amendment was sought for at a belated stage almost after four years of the alleged incident.
5. In my humble opinion, learned Trial Court failed to exercise the jurisdiction vested in it while rejecting this application solely on the ground of delay.
6. The order impugned is set aside.
7. Consequently the revisional application is allowed.
8. Let a copy of the order be sent down to the learned Trial Court for information.
9. If the suit is still pending, learned Trial Court shall consider the amendment sought for on merit afresh, if it is necessary for the proper adjudication of the suit.

(Siddhartha Roy Chowdhury, J.)

