

21-08-2023
Court No.3
bm/mg/16.

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

C.O. 42 of 2023

**MD KACHU MIAH AND ANR.
Vs.
MAJIBAR RAHAMAN AND ORS.**

Ms. Suman sehanabis(Mandal)
Mr. Salok Sah
... for the petitioner.

Mr. Arindam Banerjee
Mr. Partha Chowdhury
... for the respondent.

The instant application is preferred against the impugned Order No. 87 dated 6.4.2023 whereby amendment was rejected on contest but without cost. The proposed amendment was sought to rectify a typographical error in the first line of paragraph 7 of the plaint the figure 13 shall be substituted by the figure 12. The proposed amendment is very routine in nature.

Learned Counsel for the opposite party objected to the proposed amendment.

However, on perusal of materials on record I am inclined to allow the instant application.

The impugned Order passed by the Trial Court is set aside. The Trial Court should reconsider the application and pass fresh Order within seven days without any delay. The suit shall be expedited within one month thereafter.

The instant application stands disposed of accordingly.

Copy of this Order may be sent to the Trial Court.

(SUGATO MAJUMDAR, J.)