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September
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Ct. 19
04.09.2024

*In The High Court At Calcutta
Civil Revisional Jurisdiction*

C.O. No. 470 of 2024

**Smt. Durgabala Maity alias Durga Rani Maity &
Ors.**

Vs.

**Sri Sri Bishnu Mandir Thakurer and represented
by its Shebait, namely, Partha Sarati Maity &
Ors.**

Mr. Anit Kumar Rakshit ... For the petitioners.

The defendants in a suit for declaration are the petitioners of the instant application under Article 227 of the Constitution of India.

The said suit being Title Suit No. 25 of 2008 is pending before the 3rd Court of learned Civil Judge, (Junior Division) at Tamruk, District – Purba Medinipur.

The learned Trial Judge by the order impugned being Order No. 100 dated June 13, 2023 has dismissed the application for amendment of the written statement holding that the defendants are contesting by separate written statements, it is not clear in respect of which written statement they are praying amendment.

All the written statements cannot be amended by one application, besides the trial of the suit has commenced, the order impugned, therefore does not call for any interference.

C.O. 470 of 2024 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.)