

08.08.2024
Item No.22, DL
Ct.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 594 of 2024

Sri Sudip Kar & Anr.

-Vs-

Sri Subrata Kumar Paul & Ors.

Mr. Animesh Paul,
Ms. Susmita Ghorai,
Ms. Bishruti Chattopadhyay.
.....for the petitioners.

Mr. Mahendra Prasad Gupta,
Mr. Dilip Kumar Saila,
Ms. Antara Panja,
Mr. S. Singh,
.....for the opposite parties.

The instant application under Article 227 of the Constitution of India is at the instance of the defendants in a suit for eviction which is directed against order dated January 31, 2024 passed by the 3rd Court of the learned Civil Judge (Junior Division) at Howrah in the said suit being *Title Suit No.270 of 2011*.

The learned Trial Judge by the order impugned has dismissed an application for amendment of written statement of the petitioners after completion of the evidence of the plaintiffs.

In view of the restrictions contemplated under the proviso appended to Order VI Rule 17 of the Code of Civil Procedure, in allowing an application for amendment of pleadings after commencement of trial, the learned Trial Judge is absolutely justified in dismissing the said application.

The order impugned therefore does not call for any interference.

C.O. 594 of 2024 is dismissed without any order as to costs.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)