

31.07.2024
(D/L-18)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 2672 of 2024

Prabhat Kumar Ghosh

-Vs-

Bishnupada Ghosh & Ors.

Mr. Mrinal Kanti Ghosh,

... For the Petitioner.

The defendant no.1 in a suit for partition is the petitioner of the instant application under Article 227 of the Constitution of India which is directed against the Order No. 07 dated April 08, 2024 passed by the learned Civil Judge (Senior Division), Bolpur, District: Birbhum, in the said suit being *Title Suit No. 04 of 2023*.

The suit was once dismissed but the Hon'ble Division Bench, vide judgment and decree dated March 14, 2023 in the appeal being *F.A 129 of 2009*, had set aside the said judgment and decree and remanded the suit back for trial afresh, with a direction to bring the left out parties and the left out joint properties on record; in pursuance thereof, the plaintiffs took out an application for amendment of the plaint which the learned Trial Judge has allowed by the order impugned.

The petitioner is alleging that some necessary parties and joint properties have still been left out.

The order impugned does not call for any interference, but the petitioner is at liberty to take steps for bringing on record the alleged necessary parties and joint properties still left out.

C.O. 2672 of 2024 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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.)