

04.09.2024
(D/L-10)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 3101 of 2024

Sri Goutam Roy & Anr.

-Vs-

Sri Animesh Das & Anr.

Ms. Sohini Chakraborty,
Mr. Anjan Banerjee,
Ms. Ishita Chowdhury,

... For the Petitioners.

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
Ms. Moujhuri Kumar,
Mr. Abhishek Ghosh,

.... For the Opposite Parties.

The plaintiff in a suit for partition is the petitioner of the instant revisional application under Article 227 of the Constitution of which is directed against order no. 19 dated August 08, 2024 passed by the 1st Court of learned Civil Judge (Senior Division) at Uluberia, District: Howrah, in the said suit being *Title Suit No. 186 of 2022*.

The learned Trial Judge by the order impugned has refused the prayer of the plaintiffs to decide the application for amendment of plaint first, then to dispose of the application filed by the defendants under Order XII Rule 6 of the Code of Civil Procedure with a cost of Rs. 5,000/- (Rupees five thousand only).

It appears that the averment sought to be incorporated in the plaint by the proposed

amendment would be relevant at the final decree stage but to declare the share of the parties in preliminary form on admission, such amendment is not necessary.

The order impugned therefore does not call for any interference.

C.O. 3101 of 2024 is dismissed 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.)