

11.09.2024
Item No.29 DL
Ct.19
A.J.

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

C.O. 3234 of 2024

Mst. Harichhennchha Bibi & Ors.

-Vs-

Iyakub Molla & Ors.

Mrs. Sohini Chakraborty,
Mr. Anjan Banerjee.
.....for the petitioners.

The defendants in a suit for declaration of title and injunction are the petitioners in the instant application under Article 227 of the Constitution of India which is directed against an Order No. 71 dated August 05, 2024 passed by the 1st Court of the learned Civil Judge (Junior Division) at Basirhat, District: 24 Parganas (North) in the said suit being *Title Suit No. 240 of 2014*.

The learned Trial Judge by the order impugned has dismissed an application filed by the defendants for amendment of the written statement with costs of Rs.1500/-.

The trial of the suit has commenced, the application for amendment fails to qualify the tests of the proviso appended to Order VI Rule 17 of the Code of Civil Procedure to amend the pleadings after commencement of trial of the suit.

The order impugned does not call for any interference.

C.O. 3234 of 2024 is dismissed accordingly.

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.)