

19.09.2024
(D/L-27)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 3330 of 2024

Kalachand Dingal
-Vs-
Smt. Reena Jana

Mr. Sounak Bhattacharyya,
Mr. Sounak Mondal,
Mr. Abhirup Halder,
Mr. Anirban Saha Roy,

... For the Petitioner.

Mr. Amit Baran Das,
Mr. Jayanta Dey,
Ms. Ankana Sarkar,

.... For the O.P. No. 1.

By consent of the parties, the matter is taken up
beyond the regular Court hours.

The pre-emptor in a proceeding under Section 8 of
the West Bengal Land Reforms Act, 1955 being *J. Misc.*
(P) Case no. 22 of 2021 pending before the 2nd
Additional Court of learned Civil Judge (Junior
Division) at Contai, District: Purba Medinipur is the
petitioner of the instant application under Article 227 of
the Constitution of India.

The learned Trial Judge by the order impugned
being Order no. 22 dated July 3, 2024 has refused the
prayer of the petitioner for amendment of the
application for pre-emption.

The petitioner by the proposed amendment has
sought to add averments in the said application for pre-
emption that he being a bargadar, is entitled to exercise
his right of pre-emption on the said ground also.

The learned Trial Judge has rightly refused the said prayer of the petitioner inasmuch as the said prayer is *ex facie* barred by limitation.

The order impugned therefore does not call for any interference.

C.O. 3330 of 2024 is dismissed as such without any order as to costs.

This order however will not take away or interfere with the right of the petitioner to defend any other proceeding(s) on the ground of his such alleged *bargadar*-ship over the suit plot.

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.)