

19.03.2024
Sl. No.50(DL)
srm

C.O. No. 4433 of 2023

Sri Prasanta Kumar Hazra @ Prasanta Hazra

Versus

Smt. Gita Hazra & Ors.

Mr. Nirmalendu Bera

...for the Petitioner.

The revisional application arises out of an order dated December 2, 2023 passed by the learned Additional District Judge, 15th Court at Alipore, South 24-Parganas, in Original Suit No.07 of 2014.

The petitioner prayed for amendment of the schedule of the plaint after the Will was probated. The learned court held that in the amended plaint in schedule 'A' it has been clearly mentioned that the *hal* dag number of the property was 549 and as such the prayer for rectification of RS Dag No.409 as 490 was not allowed.

It appears that in the Will, *hal* dag number was mentioned as 549 corresponding to RS Dag No.490. In the plaint, however, by mistake RS dag number was mentioned as 409 instead of 490. The Will was accordingly probated. The Will will be attached to the probate. The dag numbers are available in the Will.

There will be no difficulty if the RS dag number is not corrected from 409 to 490, in the plaint. The Will has been probated in respect of the RS Dag No.490 and *hal* Dag No.549.

Thus, the order impugned does not call for any interference.

The revisional application is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)