

19.11.2025
Item No.34
Ct. No. 30
Aloke

CO 270 of 2022

Srimati Jharna Rani Samanta
Vs
Asoke Kumar Samanta & Anr.

Mr. Rabindranath Mahato
Mr. Debabrata Chakrabhorthy
Mr. Aritra Shankar Ray
... for the petitioner
Mr. Gopal Ch. Ghosh
Mr. Rajkishore Mondal
... for the opposite parties

1. The revision has been preferred challenging order no. 83 dated November 25, 2021 passed by the learned Civil Judge (Junior Division), First Court at Midnapore, in Title Suit No. 194 of 2010
2. Vide the order under challenge, the trial Court has been pleased to reject the plaintiff/petitioner's application under Order 6 Rule 17 CPC.
3. The learned trial Court has rejected the application on the finding that the evidence and the trial had already been completed and the matter was fixed for argument.
4. Learned counsel for the petitioner has brought the notice of this Court to paragraph 3 and 4 of the order dated 03.10.2023 passed in this case wherein a Coordinate Bench had held that such amendment praying for further specification of the

scheduled property was for better demarcation and identification of the property claimed by the petitioner, while considering the prayer for grant of an interim order in the revisional application.

5. On hearing the learned counsels for the parties and on perusal of the materials on record more so the schedule to the plaint at page 17, it appears that the suit property has been adequately described for proper adjudication of the suit. **The said schedule also includes a sketch map** and, as such, no further amendment is necessary for proper description of the suit property.

6. Admittedly, the evidence has been closed in the suit and the petitioner/plaintiff at this stage has sought to make an amendment which is not necessary for proper adjudication of the case as adequate/sufficient description of the property is already on record.

7. The order under challenge of the trial Court being in accordance with law requires no interference.

8. The civil revision stands dismissed.

9. **Trial Court to proceed with the suit expeditiously.**

10. There will be no order as to costs.

11. Connected application, if any, stands disposed of.

12. Interim order, if any, stands vacated.

13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)