

Sl.97
11.03.2025
Court No.6
BP

C.O. 494 of 2025

Manik Chandra Sarkar
-versus-
Goutam Kumar Sanyal & Ors.

Mr. Partha Pratim Roy
Mr. Samrat Chakraborty
... for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the plaintiff and is directed against an order being no. 33 dated 18th November, 2024 passed by the learned Civil Judge, (Junior Division), 3rd Court at Krishnanagar, Nadia in Title Suit No. 524 of 2022.

By the order impugned the application under Order VI Rule 17 of the Code of Civil Procedure stood rejected.

Mr. Roy, learned advocate appearing for the petitioner submits that the amendment sought for is necessary for the purpose of deciding the real controversies between the parties in the suit. He submits that the petitioner herein applied under the provisions of the Right to Information Act, 2005 praying for supply of certain information but the concerned Block Land and Land Reforms Officer did not give reply to the queries made in the said application.

After going through the plaint this Court finds that the petitioner herein applied before the

concerned Block Land and Land Reforms Officer and obtained the certified copy of the order-sheet and found that the L.R. record of rights of the suit property has been prepared erroneously in the name of Prokash Chandra Maitra. It further appears that it has been specifically stated in the application in the plaint that on 1st November, 2022 the plaintiff came to know online also the said information of L.R. recording and thereafter the plaintiff filed an application on 4th November, 2022 under the provisions of the Right to Information Act but the plaintiff did not get any answer.

After going through the averments made in the plaint, this Court finds that the foundation of the proposed amendment is already there in the plaint and therefore, the learned trial judge was right in holding that the proposed amendments are not necessary for the purpose of deciding the real controversies between the parties. In view thereof, the order impugned does not call for any interference.

Accordingly, C.O. 494 of 2025 stands dismissed.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)