

D/L- 19
23/05/2025
Ct. No.-6
Aritra

C.O. 1836 of 2025

**Asraf Ali @ Md. Asraf Ali
Vs.
Mortaja Sarkar**

Mr. Golam Mastafa
Mr. T.S. Samanta
Mr. Kazi Asif Iqbal

....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.53 dated March 20, 2025 passed by the learned Civil Judge (Jr. Div.), Lalbagh, District-Murshidabad in Title Suit NO.46 of 2014.

By the order impugned the application for amendment of plaint stood rejected.

It is not is dispute that the application for amendment was filed long after the commencement of trial. After going through the averments made in the application, this Court finds that the plaintiff has not assigned any reason as to why the plaintiff could not take steps for incorporation of the proposed amendment prior to the commencement of trial.

After going through the impugned order, this Court finds that the evidence of both the sides was closed on January 14, 2025 and the arguments were heard on February 15, 2025 and February 19, 2025. The

application was filed on March 13, 2023 i.e. after two days of arguments in the suit.

The learned trial judge assigned cogent reasons for rejecting such application. This Court does not find any reason to interfere with the same.

Accordingly, CO 1836 of 2025 stands dismissed.

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)