

Court No. 6  
(265719)

**16.06.2025**  
(AD 13)  
(S. Banerjee)

CO 1919 of 2025

Somnath Bhattacharya  
Vs.  
Ruma Bhattacharya (nee Roy)

Mr. Dipankar Dhar  
Dr. Rudra Dhar

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the husband and is directed against an order dated March 7, 2024 passed by the learned Additional District Judge, 5<sup>th</sup> Court, Howrah in Matrimonial Suit No. 543 of 2013. By the order impugned the application filed by the wife/opposite party herein under Order 6 Rule 17 Civil Procedure Code for amendment of plaint, stood allowed.

Learned advocate appearing for the petitioner submits that the application for amendment was filed after the commencement of trial and, therefore, the same should not have been allowed.

It is well-settled that the application for amendment can be allowed if the proposed amendments are necessary for the purpose of deciding the real controversies between the parties.

After going through the schedule of amendment this court finds that the wife/opposite party herein has sought to incorporate the additional grounds of divorce by filing an application for amendment of plaint.

This court finds that the proposed amendments are necessary for the purpose of deciding the real controversies between the parties.

For such reason this court is not inclined to interfere with the order impugned. However, the petitioner shall be at liberty to file an additional written statement within a period of two weeks from the date of service of a copy of the amendment plaint.

With the above observations CO 1919 of 2025 stands disposed of.

**(Hiranmay Bhattacharyya, J.)**