

D/L- 17
15/09/2025
Ct. No.-6
Aritra

C.O. 3397 of 2025

**Bahar Sk. @ Md. Bahar Sk.
Vs.
Sujaddulla @ Kamal Sk. & Ors.**

Mr. Md. Rafiqul Islam

....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.92 dated August 2, 2025 passed by the learned Civil Judge, (Sr. Div.), Kandi, District-Murshidabad in Partition Suit No.167 of 2013.

The petitioner who is the plaintiff in the suit for partition filed an application under Order 1 Rule 10 (2) of the Code of Civil Procedure.

The suit is at the stage of argument when a prayer for addition of certain persons as party defendant in the said suit was made.

Such application was rejected by the order impugned.

The learned advocate appearing for the petitioner submits that the said persons are necessary parties in the suit for partition.

The petitioner filed the suit for partition in the year 2013 and after lapse of 12 years this application of addition of party was filed. No objection with regard to the non-joinder of any party was also raised by the defendant in the written statement.

Petitioner could not make out any case as to why these persons are necessary parties in the suit for partition.

The learned trial judge was right in rejecting the application for addition of party.

This Court does not find any reason to interfere with such order.

Accordingly, CO 3397 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.)