

14.07.2025
Item No.20
Ct. No. 30
Aloke

CO 4069 of 2024

Korban Sekh & Ors.
Vs.
Badsha Alam Khan & Ors.

Mr. Sk. Reazul Islam
Mr. Mahaboob Ahmed
... for the petitioners

1. The civil revision has been preferred against an order dated 29.08.2024 passed in T.S. No. 125/2017 by the learned Civil Judge (Junior Division), 2nd Court, Rampurhat, Birbhum.

2. Vide the order under challenge the learned trial Court held as follows :

“Moreover, the defendant has sought to amend the written statement by way of incorporating another name of Kamaruddin Sk @ Kamaluddin Sk as he is also known by another name as Jamaruddin Sk. But in support of defendant’s claim no cogent document has come before this court except a certificate issued by Panchayat Pradhan. On the basis of a mere certificate of panchayat pradhan, Kamaruddin Sk @ Kamaluddin Sk cannot be said to be known as Jamaruddin Sk. In view of above, this petition is considered and rejected with cost of Rs.400/- to be paid to the SDLSA, Rampurhat.”

3. It appears that the defendant/petitioner herein has prayed for incorporating the name of Jamaruddin Sk @ Kamaruddin Sk @ Kamaluddin Sk.

4. It also appears that the learned trial Court has rightly held that no lawful document in support of his contention has been placed before the court and, as such, the prayer of the petitioner could not be considered.

5. The petitioner by way of a supplementary affidavit has brought in two documents, one being the copy of the voter card of Sekh Kamaruddin wherein it is shown that he is the son of "Deresh". The next document shows the name of Jamaruddin also as the son of "Deresh".

6. It is submitted that as such Kamaruddin and Jamaruddin are one and the same person.

7. The contention of the petitioner cannot be accepted, considering the fact that the two documents are entirely independent of each other and both these persons have their father's name as Deresh. **Nowhere does it show that Kamaruddin and Jamaruddin are the one and the same person.**

8. Considering the said fact the findings of the learned trial Court being in accordance with law requires no interference.

9. The civil revision is accordingly dismissed.

10. Trial Court to proceed expeditiously to dispose of the case.

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 given to the parties, upon usual undertakings.

(Shampa Dutt (Paul), J.)