

18.02.2026
Item No.45
Ct. No. 30
Aloke

CO 2479 of 2023

Dr. Shyamal Kuamr Ganguly
Vs.
Uma Ghosh

Mr. Ayan Bhattacharjee
Ms. Sananda Bhattacharyya
Ms. Richa Pramanik
..for the petitioner

Mr. Debdipto Banerjee
Mr. Soumen Banerjee
... for the opposite party

1. The revisional application has been preferred challenging an order being no. 19 dated 11th May, 2023, passed by the learned Additional District Judge, 8th Court, Barasat, North 24 Parganas, in Title Appeal No. 25 of 2022.
2. Vide the impugned order the appellate Court in misc. appeal has been pleased to allow amendment upon payment cost of Rs.5,000/- finding the amendment to be relevant and not prejudicial to the opposite party herein.
3. Learned counsel for the opposite party submits that the cost imposed has been accepted by the learned counsel for the appellant and the amendment prayed for is not a new case being made out by the opposite party on the ground that the matter of gift deed had been duly pleaded in the plaint. It is only the connected prayer relating to the said plaintiff by gift deed being executed which was sought to be brought in by way of amendment.

4. On perusal of the amendment prayer it appears that though the same is at belated stage, the same has been accepted on payment of cost which has been accepted by the appellant and the amendment prayer in no way will prejudice the petitioner herein.

5. Accordingly, this Court finds no reason to interfere with the impugned order.

6. The revisional application stands dismissed. The trial Court to proceed with the suit expeditiously.

7. Connected application, if any, stands disposed of.

8. Interim order, if any, stands vacated.

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

(Shampa Dutt (Paul), J.)