

30.03.2026
Item no. 24
Court no. 30
g.b.
266012

CO 3326 of 2024
With
CAN 2 of 2026

Sri Bishnu Biswas
Vs.
Sk. Sharfuddin & Ors.

Ms. Bina Baidya
Mr. Manas Kr. Barman
..... For the Petitioner
Mr. Anish Chakraborty
....For the Opposite Party Nos. 3 & 4

1. CAN 2 of 2026 is an application for extension of interim order.
2. The Court has taken up the revisional application along with CAN 2 of 2026 for final hearing as the opposite party is being represented.
3. The revisional application has been preferred challenging an order dated 18th October, 2023 passed in Title Suit No. 28, 2013 by the Learned Civil Judge, (Junior Division), Bidhan Nagar, North 24 Parganas thereby dismissing the petition dated 18th October, 2023 for extension of time to file “Amended Complaint” by the Plaintiff/Petitioner.
4. Vide the impugned order, the learned Trial Court has rejected the amended complaint when the

petitioner admittedly has filed the same nine days after the time permitted by the court.

5. Be that as it may, admittedly the prayer for amendment has been allowed by the Trial Court and it was on allowing the application, that the petitioner was directed to file a copy of the amended plaint, which is a formality and the Trial Court should have taken a lenient view considering the short delay in filing the said amended plaint, in the interest of justice.
6. It is the contention of the petitioner that the petitioner was not aware of the time period granted for filing of the said amended plaint.
7. Accordingly, the said delay is hereby condoned in the interest of justice and the amended plaint be filed within 15 days from the date of this order.
8. The impugned order is, thus, set aside.
9. The revisional application is allowed and the trial court to proceed with the suit expeditiously.
10. CO 3326 of 2024 stands **disposed of** along with CAN 2 of 2026.

(**Shampa Dutt (Paul), J.**)