

10.04.2026
Item no. 30
Court no. 30
g.b.
266012

**CO 4449 of 2024
With
CAN 1 of 2026**

**Fakir Mohan Biswas & Anr.
Vs.
Safia Begum & Ors.**

Sk. Samiul Haque
..... For the Petitioner
Mr. Gopal Ch. Ghosh
Shaik Zakir Hossain
Mr. Rajkrishna Mondal
.....For the Opposite Party

1. Affidavit of service filed be kept with the record.
2. The civil revision is taken up for hearing along with CAN 1 of 2026.
3. The civil revision has been preferred challenging an order dated 27.08.2024 passed by the Learned 6th Civil Judge (Junior Division) at Alipore in Misc. Case No. 06 of 2022 thereby rejecting the petitioners' application for amendment under Order VI Rule 17 of the Code of Civil Procedure Act, 1908 and fixing a date for evidence of opposite parties.
4. On hearing the learned counsels for the parties and on perusal of the proposed amendment in the application under Order VI Rule 17, it appears that the petitioners therein by way of amendment

sought to change the date as to when he/they went to the local registration office, as that is to “on 18.01.2022”.

5. Learned counsel for the opposite party submits, by way of placing the written objection filed before the learned trial court, that the petitioner herein in his cross-examination on 16.03.2024 had deposed as follows:

*“As I have stated in my chief that **I did searching on 27.07.2021, the searching was done at Bishnupur Registration Office.** I came to learn from some people that the O. P. No. 1 has purchased the property from the O. P. Nos. 2 & 3, and hence I **went for searching at Registry Office on 27.07.2021**”.*

6. It, thus, appears that by the said amendment the petitioner sought to change the date as to when he had visited the registration office by almost six months later.
7. The said amendment in a case of preemption is vital for the rights of the parties as to date of knowledge, and the trial court has thus rightly rejected the application under Order VI Rule 17 of the C. P. C. in the present case and as such the impugned order requires no interference.
8. The Civil revision stands dismissed.

9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on urgent basis after completion of all necessary formalities.

(Shampa Dutt (Paul), J.)