

Title Suit No. 577 of 2017
(CNR No. WBSP02-000968-2017)

JO Code: WB01194

Order Dated 31.01.2025

Today is fixed for hearing petition under Order 6 Rule 17 of C.P.C., W.O. if any, in the meantime.

Plaintiff files hazira.

Defendants file hazira.

Now, the record is taken up for hearing application under Order 6 Rule 17 of C.P.C. dated 13.12.2024 for amendment in the additional written statement.

Ld. Advocate for the Defendants submitted that while preparing the additional written statement, due to gap of communication with the Defendants some mistakes had been committed by the Defendants. Therefore, he prays for amendment of the additional written statement as per the proposed schedule mentioned in the petition for proper adjudication of the suit.

Ld. Advocate for the Plaintiff did not raise any objection rather give consent for allowing the amendment application.

Heard Ld. Advocates for both. Perused the case record as well as the application.

Considering the submissions made by the Ld. Advocates for the both sides as well as going through the schedule of proposed amendment, this Court finds that the amendment is formal in nature and it will not change the nature and character of the suit and if it is allowed then it will not prejudice either of the parties and proposed amendment is necessary for proper adjudication of the suit.

Hence, it is,

ORDERED

that the application under Order 6 Rule 17 of C.P.C. dated 13.12.2024 filed by Defendants is considered and allowed.

Defendants are directed to file amended additional written statement incorporating such schedule amendment as mentioned in the petition.

Fix 20.02.2025 for filing amended additional written statement and further cross-examination of P.W. 1.

Dictated and corrected by me

*Sd/- Amartya Chakraborty (WB01194)
6th Court, Civil Judge (Sr. Divn) , Alipore*

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