

T.S. 241 of 2022
C.N.R. No. WBWM0J000390-2022
J.O. Code NO. WB00957

Order no. 03 dated 08-09-22.

The record is put up by a put up petition.

Plaintiffs files a petition under Order 6 Rule 17 of C.P.C. dated 08-09-22.

Now, the petition under Order 6 Rule 17 of C.P.C dated 08-09-22 filed by the plaintiff is taken up for hearing.

After hearing and perusal it appears that the facts mentioned in the amendment petition are necessary to be included in the case in the interest of justice. If the facts are not included the plaintiff will be prejudiced. Further the amendment sought for are formal in nature.

Hence, the petition is considered and allowed.

Let the plaint be amended accordingly.

Plaintiff is directed to file amended plaint and serve the copy of amended plaint upon the defendants.

Dict. & Corrt. by me

Civil Judge(Sr. Divn.)
Kharagpur
Paschim Medinipur

Civil Judge (Sr. Divn.)
Kharagpur
Paschim Medinipur.

Later:-

The plaintiff files amended copy of plaint.

Let it be kept with the record.

Both the parties to the suit have filed a solenama petition.

Parties are present by filing a petition to make a compromise on the basis of the solenama petition. Affidavits and the xerox of the Identity card also filed. Vakalatnama is filed by the defendants.

Solenama petition filed today is taken up for hearing.

Plaintiff is examined as P.W. 1 and the defendant no. 1 is examined as D.W.1.

Heard learned advocates for both sides and perused materials on record. After hearing and perusal it appears that the parties have agreed to amicably settle the dispute between them on terms of Solenama and they have put their respective signatures over the Solenama after understanding the terms of Solenama. It transpires that there is no collusion, coercion, undue influence or misrepresentation in respect of the prayer for compromise and the terms of solenama are legal and valid.

Parties to the suit have prayed for decree directly as per terms of Solenama without any preliminary decree.

Considering all aspects, prayer for parties to draw up the decree as per terms of Solenama petition is allowed.

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Hence, it is,

ORDERED

that the suit be and the same is decreed in final form in terms of solenama petition filed by the parties. The shares of the parties as mentioned in the compromise petition is hereby declared.

Parties are directed to effect partition as per their shares mentioned in the compromise petition amicably. The compromise petition be made part of the decree.

Parties are directed to bear their own cost.

Let the final decree be drawn up after payment of stamp duty. D.A. is directed to draw up the final decree on payment of proper stamp duty. Thus, this suit is disposed of on terms of Solenama.

Dict. & Corrt. by me

Civil Judge (Sr. Divn.),Kharagpur
Paschim Medinipur

Civil Judge (Sr. Divn.),Kharagpur
Paschim Medinipur.