

T.S. 284 of 2022
CIS No. 2842 of 2022

Order no. 8 Dated : 21.08.2023

Today is fixed for hearing of petitions u/o 6 r.17 CPC read with Section 151 of CPC filed by the plaintiff on 02.02.2023 and filing W/S by the defendant no.3.

Plaintiff files hazira alongwith one application for praying the extension of order of ad interim injunction.

Heard. Considered. Prayer is allowed. Order of Ad interim injunction is extended till next date.

Defendant no. 3 filed one petition for praying time to file W/S.

Heard. Considered. Prayer is allowed.

Now the record is taken up for hearing of petition u/o 6 r.17 CPC read with Section 151 of CPC filed by the plaintiff on 02.02.2023.

It is contended by the plaintiff that address of the defendant no. 1 and 2 has been described under the words 'C/O Abhimunya Das' at the time of institution of the instant suit but now defendant no. 1 and 2 let their tenanted premises and at present residing at their own house and accordingly the plaintiff has prayed for amendment to delete the words 'C/O Abhimunya Das' as per schedule of amendment for the fair and proper disposal of the instant suit.

On perusing the schedule of the amendment petition, This Court is of the view that if the present petition is not allowed, it may lead to multiplicity of proceeding. Accordingly, finding merits in the present petition, I am inclined to allow this petition.

Hence, it is,

Ordered

that the petitions under Order 6 Rule 17 read with Section 151 of CPC be and the same is allowed.

Plaintiff is at liberty to file an amended plaint.

Fix 04.09.2023 for filing amended plaint and steps by the plaintiff.

Dictated & Corrected by me,

Civil Judge (Jr. Div.)
2nd Court, Barrackpore

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