

**Order No.- 102**

**dt.-06.02.2018**

Petitioner files hazira.

OP also files hazira.

Today is fixed for hearing of the petition dated 17.04.2017 filed by the petitioner. The aforesaid petition is accordingly taken up for hearing.

Heard both sides. Perused the petition as well as other materials on record. Considered.

By filing the instant petition under order. 1 rule 10 read with section 151 of the C.P.C the petitioner prayed to add Executive Engineer Burdwan Division (Social Sector), PW (C.B), Jagat Berh, Post Sripally, P.S. & District Burdwan, Pin 713103 as OP No. 2 in this case on the grounds inter alia that on the request of the aforesaid requiring body the land in question has been acquired by the LA Collector Burdwan. It is further stated that the Executive Engineer as mentioned above being the requiring body is a necessary party in this case and accordingly it is required to be added as OP No. 2 in this case to avoid future complication.

Having heard both sides and considering the petition as well as other materials on record, it appears to me that requiring body is a proper party in such cases and the matter must be disposed of in presence of the requiring body for the sake of convenience of all concerned.

In the given circumstances, this court is of the view that the petition so filed by the petitioner should be allowed and person named in the petition should be added as OP No. 2 in this case. The instant petition accordingly stands allowed on contest and disposed of without any cost. Let the Executive Engineer full particulars of which is mentioned in the petition itself be added as OP No. 2 in this case. Amend the cause title of the claim application and make necessary entries in the relevant register if any.

Petitioner is directed to file amended claim application on 13.04.2018 after serving copy of the same upon the OP No. 1. The petitioner is at liberty to file the amended claim application earlier and take proper steps upon OP No. 2.

Dictated & Corrected by me

Addl. District Judge  
1<sup>st</sup> Court, Burdwan.

Additional District Judge  
1<sup>st</sup> Court, Burdwan.









