

In the court of Additional Sessions Judge, 3rd Coburt, Sadar, Cooch Behar.

Other Suit (Will) – 02/2024
CNR No. WBCB01-001504-2024

Present: Sri. Rudra Prasad Ray, ADJ, FTC, Cooch Behar.

Order No. 12
Dated 03-11-2025

Today is fixed for filing fresh draft notice by the plaintiff.

Lawyer's hajira is filed on behalf of the respondent no. 1 and 2.

Plaintiff files a verified petition u/o 6 rule 17 of CPC read with section 151 of CPC along with supporting affidavit. Copy is supplied to the respondents. Another petition is filed on behalf of the petitioner praying for time for filing fresh draft notice on that ground.

The prayer for time for filing draft notice is considered and allowed.

The petition u/o 6 rule 17 of CPC is taken up for hearing.

Ld. Advocate for the petitioner submits that inadvertently out of typographical mistake in 3rd line of para 1 of the plaint "Volume No. II" has been written in place of "Volume No. I", which is required to be corrected by way of amendment. Ld. Advocate for the petitioner further submits that the proposed amendment is quite formal in nature and it will not change the nature and character of the case in any way.

Formal objection is raised by Ld. Advocate for the respondents.

Having heard submission of Ld. Advocate for the plaintiff at length and considering the fact that the proposed amendment is quite formal in nature and it will not change the nature and character of the instant case in any way I am inclined to allow the amendment petition. Accordingly, the petition u/o 6 rule 17 of CPC filed by the plaintiff today is allowed and he is directed to file amended plaint incorporating the proposed changes and also directed to file fresh draft notice on the next date positively.

This court is lying vacant. I am in charge of this court.

Fix 25.11.25 for filing amended plaint and fresh draft notice.

Dictated & Corrected,

Sd/-
Addl. Sessions Judge, I/C
3rd Court, Cooch Behar

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Addl. Sessions Judge, I/C
3rd Court, Cooch Behar
J.O. Code No. WB00899