

T.S. - 1061/23 CNR – WBCC0105751-2023

Present: Sri Jayanta Koley, Judge, Bench-II. (WB00562)

Order 15

24.5.24

Today is fixed for hearing the application u/o 6 Rule 17 read with section 151 CPC filed by the plaintiffs on 22.4.24.

Plaintiffs file hazira along with a petition praying for extending the force of ad-interim order of status quo passed in this suit. The instant suit is proceeding exparte against the defendants.

Accordingly heard the Ld. Advocate for the plaintiffs only.

Perused the application, whereby the plaintiffs have prayed for passing necessary order to amend the plaint in the manner as indicated in the schedule to the said application mainly intending to incorporate another address of the defendant nos 1 and 2 in the cause title of the plaint and incorporating the boundaries of the schedule B property for its better description and identity as well as to describe the status of the plaintiffs themselves as lessees instead of tenants on the ground that such description occurred due to bona fide mistake and / or inadvertence.

Upon comparison of the proposed amendment with the contents of the plaint it appears that both are quite commensurate with each other and if allowed the same will not in any way change the nature or character of the suit nor will the same cause any injury or prejudice to the defendants; on the other hand the same appears to be essentially necessary for providing better description and particulars of the address of the defendant nos 1 and 2, that of the B schedule property and the status of the plaintiffs in the body of the plaint.

Considered as above, I am inclined to allow the application.

Hence it is

Ordered

that the application of the plaintiffs u/o 6 Rule 17 read with section 151 CPC dtd 22.4.24 is hereby allowed treating the same as a part of the original plaint. Amend the plaint accordingly.

Plaintiffs are directed to furnish amended copy of plaint by 25.6.24.

The force of ad-interim order of status quo passed in this suit is extended till that date.

D/C by me

Judge

Judge 2<sup>nd</sup> Bench

Mis Case- 149/24 CNR – WBCC0100352-2023

Present: Sri Jayanta Koley, Judge, Bench-II. (WB00562)

Order 16

24.5.24

Today is fixed for exparte hearing of the instant Misc case.

Petitioners file a petition praying for adjournment of hearing on the ground of non-availability of relevant documents which are required for substantiating the case of the petitioners in the present proceeding.

Upon hearing the Ld. Advocate for the petitioners and regard being had to the ground assigned for adjournment, the hearing of the instant Misc case is adjourned fixing 25.6.24 for hearing of the instant Misc case.

D/C by me

Judge

Judge 2<sup>nd</sup> Bench