

Order No.18 dated 04.10.23

Today is fixed for show cause by the plaintiff.

Both parties filed hazira.

The plaintiff filed show cause and one shift back petition together with an amendment application.

Heard. Considered.

Perused the record.

The show cause found sufficient and therefore accepted.

Coming to the shift back application, the same is allowed and the amendment application is heard.

The proposed amendment, to my mind, is formal in nature and would not change nature and character of the suit for the same seeks to modify the valuation statement and the rate of rent, which the defendant has admitted in his application u/s 7(1) and 7(2) WBPT Act; but the proposed amendment is necessary for deciding real question in controversy between the parties. So, I do allow the proposed amendment.

The plaintiff is directed to file amended plaint and he further is directed to pay the deficit court fees that have arisen on account of changed valuation of the suit post amendment.

The defendant is at liberty to file additional W.S, if he wishes.

Fix 20.11.23 for filing amended plaint, payment of deficit court fees and for additional W.S, if any.

D/C by me:

Sd/

CJJD,KSG

Sd/

(Sk.Md. Arif Hasan)

Civil Judge(Jr. Div)

Kurseong