

Present : Smt. Bristi Bardhan J.O. Code: WB01490
J. Misc. (Pre emptio) 09 of 2023
CIS No. 09 of 2023

Order No. 09

15.05.2024

Today is fixed for hearing, W/O, if any, in the meantime.

Both sides file hazira.

The Petitioner filed the taken off petition from P.H. Board on 16.02.2024. The taken off petition is **ALLOWED** with a cost of Rs. 100/-.

The petition dated **16.02.2024** is under **Order 6 Rule 17** of CPC.

Ld. Advocate for the Petitioner had prayed to amend petition by inserting certain words mentioned in the schedule of the Petition and also prayed to insert **names of fives sons and four daughters of Late Ajit Chakraborty** in place of names of four sons and four daughters of Late Ajit Chakraborty in Paragraph no. 2 of the plaint.

Ld. Advocate for the Opposite Party raised formal objection.

Thus, the amendment sought for is found formal in nature and this will not change the nature and character of the suit and this amendment will not make out a new case. Therefore, this Court is inclined to **ALLOW** the prayer of the Petitioner.

Hence, it is

ORDERED

that the petition dated **16.02.2024** filed by the Petitioner is hereby considered and **ALLOWED** on contest without any cost.

To **10.09.2024** for filing amended Plaint and payment of cost of Rs. 100/- by the Petitioner.

D & C by me,

Sd/-

Civil Judge (Jr. Divn), Haldia

Sd/-

Civil Judge (Jr. Divn), Haldia