

L.A. Misc. Case No.54/2010(167/2014)

Order No. 42, Dated 23/09/2022:

Today is fixed for hearing of the petition under **Order VI R 17** of the C.P.C. praying for amendment of the reference application under Section 8 read with Section 18 of L.A. Act..

Perused and considered the contents of the application.

Heard and considered submissions made by the counsel of the application.

By filing the amendment petition the petitioner has prayed for amendment of the reference petition u/s 8 of L.A. Act as per schedule of the petition. It also argued that due to inadvertence few words have been wrongly typed and few words along with schedule have not been typed in reference petition u/s 18 of L.A. Act, the claimant prays for amendment. The proposed amendments are reasonable to hold to be formal in nature without any attempt to withdraw any admission or fact asserted in the application. Now the petitioner being the pilot of a case is to face the consequence of the erroneous cause title of the respondent whom he invites to contest the *lis*. The consequence is to face by the pilot.

Hence -

ORDERED

that the amendment petition is disposed of subject **to the risk to bear by the petitioner.**

Amend the reference petition u/s 18 of L.A. Act and petitioner to file the amended reference petition within statutory period;

note in the plaint and register concerned.

Fix 24.09.2022 for filing amended reference petition.

Dictated & corrected by me.

Judge

Judge, L.A Tribunal, Howrah