

Order No.62 dated 05.04.18.

Today is fixed for filing amended claim application and for filing additional W.S. if any, by the OPs. Ld Advocates for the claimant and the OP/Insurance company file respective hazira. Ld Advocates for the claimant files one adjournment petition.

The record is taken up for hearing.

Heard both sides. Ld Advocate for the claimant submits that he has not been able to file the amended claim application and thus he has prayed for adjournment to file the same.

Ld Advocate for the OP/Insurance Co. prays for passing necessary order.

Perused the materials on record. It appears to me that the court vide order dated 04.01.2018 allowed the amendment petition dated 30.08.2017 filed by the claimant and directed the claimant to file amended claim application. It is seen that till today the claimant has not filed such amended claim application. Such failure by the claimant to amend the claim application after order on the amendment petition attracts the provision of order-6 Rule-18 CPC.

In view of the situation the claimant is not permitted to amend the claim application and thus the order dated 04.01.2018 is vacated.

To 18.06.2018 for P.H.

D/c.

Judge

Judge MACC Tribunal cum
Addl. District Judge.4th Court,
Howrah.