

T.S – 127/ 2013 (C.I.S. - 85/ 2015)  
(C.N.R. WBHW07-000 - )

Order No. 75 dated 18.06.2022

Today is fixed for hearing the petition under Order 1 Rule 10 (2) C.P.C. filed by the petitioner Patni Management Consultancy Private Ltd. on 19.09.2019.

Both parties are present.

Accordingly the instant petition is taken up for hearing.

Heard the Ld. Advocates of the parties at length in connection with the instant petition perused the said petition.

Considered.

From the instant petition it is revealed that during the pendency of this suit, plaintiff No. 2 Sethi Agrotech Private Ltd. transferred its right, title and interest in the suit property in favour of petitioner Patni Management Consultancy Private Ltd. vide registered sale deed No. 1111 of 2017. For this reason, the said petitioner has filed the instant petition so that it could be impleaded in the present suit in place of plaintiff No. 2 as the substituted plaintiff No. 2 of this suit. In support its contention, the petitioner has relied on a photocopy of the aforesaid sale deed on the basis of which it is claiming right, title and interest in the suit property.

This Court has given due consideration to the contents of the instant petition, the documents filed by the petitioner in support of the said petition as well as the submissions made by the Ld. Advocate of the parties. It is pertinent to mention here that the instant petition is completely silent on the point whether the present plaintiff No. 2 of this suit has given its consent to be replaced by the present petitioner as the substituted plaintiff No. 2 of this suit. In fact, no separate petition supporting the claim of the petitioner has been filed from the side of present plaintiff No. 2 stating therein that it has got no objection if it is substituted in the present suit by the said petitioner. Be that as it may, the original or certified copy of the document on the basis of which the petitioner is claiming right, title and interest in the suit property, was not produced by the petitioner at the time of hearing for the perusal of this Court. It is the considered view of this Court that, it will not be prudent to place reliance on photocopies of the relevant documents in connection with the adjudication of the claims made under the present petition. Therefore, after taking all these aforesaid facts into account, this Court is not inclined to allow the instant petition on the grounds already discussed herein.

The instant petition is accordingly disposed of.

To 09.09.2022 for hearing the petition dt. 18.02.2019 filed by the defendant Nos. 2 & 4.

D/C by me

C. J. (Jr. Divn.)  
Amta, Howrah  
(JO Code WB 01195)

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