

Order No. 59 Dated: 19.10.2023

Today is fixed for filing of amended plaint and hearing of the application under Order 1 Rule 10 (2).

Both parties filed hazira.

Plaintiff filed adjournment petition for filing of the amended plaint.

Heard, considered and allowed on the ground stated therein.

Ld. Advocate for the plaintiff submitted that the name of the persons mentioned in the schedule of petition is a necessary party to the suit as he has also some share in the suit property because he purchased the same. So, proper adjudication of the suit it is necessary that names of the party mentioned in the schedule be added as party to the suit.

Ld. Advocate for the defendants raise vehement objection.

On perusal of the record it appears to the Court that the name of the person mentioned in th schedule of the petition is the necessary party to the suit and he should be impleaded as necessary party for proper and fair adjudication of the suit. So, this Court finds no impediment in allowing this application and allows the names of the person mentioned in the schedule of the petition to be impleaded as the parties to the suit as the defendants No.9.

Hence it is

Ordered

That the petition dated 22.06.2023, u/Or 1 Rule 10(2) filed by the plaintiff is hereby allowed on contest without any order as to cost and disposed of.

The name of the party be added as defendant No.9.

Plaintiff is directed to file the amended plaint.

Fixing 07.12.2023 for steps by the plaintiff on the added defendant and filing of amended plaint.

Dictated & corrected by me

CJ

Civil Judge (Jr.Div.)

Amta, Howrah