

Title Suit 102 / 2021 (CIS - 102 / 2021)

CNR No. - WBHW07 000 127 of 2021

Order No. 16 dated 03.09.2022

Today is fixed for hearing the application under Order 1 Rule 10 (2) C.P.C. filed by petitioner Adani Wilmar Limited as well as S.R. / Appearance of the other defendants.

Both parties are present.

An application is filed by the plaintiffs for further extension of the ad interim order of injunction.

Considered.

In the interest of justice, the ad interim order of injunction is hereby extended till next date.

Perused the suit record from where it is revealed that the summons of the present suit has been duly served on defendant No. 1.

None appeared for defendant No. 1 when the matter was called out at 12:15 P.M. Accordingly, the present suit will be henceforth heard ex parte against defendant No.1.

Now the application under Order 1 Rule 10 (2) C.P.C. is taken up for consideration.

Heard the Ld. Advocates of the parties at length.

Perused the instant application.

Considered.

From the instant application it is revealed that the petitioner intends to be impleaded as a defendant in this suit so that all the issues involved in the present suit could be decided in its presence. Ld. Advocate of the plaintiffs did not raise any objection in connection with the impleadment of the said defendant in the instant suit. Therefore, after taking into account the material on record, this Court is of the considered view that for the proper adjudication of the present suit the petitioner should be impleaded as a defendant in this suit. Accordingly, the instant application of the petitioner is hereby allowed. Petitioner Adani Wilmar Limited is hereby impleaded as a defendant in this suit.

In view of the fact that, defendant has been added in this suit, it is imperative that the plaint of this suit should be amended in compliance of the provisions contained in Order 1 Rule 10(4) C.P.C. Accordingly, the plaintiffs are hereby directed to file the amended plaint by the next date positively.

To 01.11.2022 for filing amended plaint by the plaintiffs.

D/C by me

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

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