

Title Suit 105 of 2024

Order No. 03 Dated:23.04.2025

Today is fixed for SR/Ad of the defendants.

Plaintiff filed hazira along with an application u/Or 6 R 17.

Defendant Nos. 2 and 3 appeared by filing Vakalatnama and also filed an adjournment petition for filing of WS which is allowed on the ground stated therein.

The record is taken up for hearing.

Ld. Advocate for the plaintiff submitted that the defendant No. 1 is not residing at the address of defendant No. 1 as mentioned in the cause title of the plaint. So it is necessary to provide another address in which the defendant No. 1 is residing for proper service of summon. If it is not corrected then the real controversy in dispute will not be determined. This amendment will not change the nature, character and cause of action of the suit. The amendment proposed is formal in nature.

Hence the plaintiff prays for amendment of the plaint as per the schedule mentioned in the petition.

Ld. Advocate of the defendants raise no objection and gave consent for allowing the petition.

After perusal of the record and the petition it is seen that the proposed amendment is very much formal in nature and if it is incorporated it will not change the nature and character of the suit.

Thus, considering the nature of the amendment, the stage of the instant suit and to determine the real question in controversy between the parties and also for the ends of justice the amendment sought for should be allowed. So, this Court is inclined to allow the amendment of the plaint as per the schedule mentioned in the petition.

Hence, it is

ORDERED

that the petition U/O 6 Rule 17 be and the same is hereby allowed and disposed of on contest without any cost. The plaintiff is allowed to amend the plaint as per the schedule of the present petition. The plaintiff is also directed to file the amended plaint within 14 days accordingly.

To 07.06.2025 for filing of the amended plaint.

Dictated & corrected by me

CJ

**Civil Judge (Jr.Div.)
Amta, Howrah**