

Order No. 69 Dated: 10.07.2024

Today is fixed for PH of the suit.

Plaintiff filed hazira along with one take off petition and one petition under Order 1 Rule 10 (2).

Defendant Nos. 2 to 5 filed hazira.

Ld. Advocate for the plaintiff submitted that the persons mentioned in the schedule of petition is the necessary party to the suit and its names was provided by the defendants in their answer to the interrogatory. 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 defendant No. 2 to 5 raised vehement objection and stating that they have filed their answer in the year 2020 but the plaintiff failed to take any step till date and today after four years the plaintiff has taken the step.

On perusal of the record it appears to the Court that the name of the party mentioned in the 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 name of the person mentioned in the schedule of the petition to be impleaded as the party to the suit as the defendants No.7.

Hence it is

Ordered

That the petition u/Or 1 Rule 10(2) filed by the plaintiff is hereby allowed on contest with a cost of Rs.300/- and disposed of.

The name of the parties be added as defendant No.7.

Plaintiff is directed to file the amended plaint.

Fixing 31.08.2024 for steps by the plaintiff on the added defendant.

Dictated & corrected by me

CJ

Civil Judge (Jr.Div.)

Amta, Howrah