

P.S 33 of 2020  
Reg. No. 33 of 2020  
CNR No. WBMD060000432020

Order No. 06 / Dated:- 06.04.2021.

Parties file Advocate hazira.

Plaintiffs file the petitions under Order 6 Rule 17 C.P.C for amendment of Plaint and a petition u/s. 153 CPC for amendment of temporary injunction petition along with a petition for interrogatories. Copies served.

Heard Ld. Advocates for both sides.

Plaintiffs move the petitions U/O 6 Rule 17 CPC and U/S 153 CPC and it is stated by them that during the drafting of the Plaint, some mistakes occurred in the body of Plaint and also in the petition for Temporary Injunction and it is necessary to rectify the same or else the Plaintiffs will be highly prejudiced. Perused the record.

It appears that vide the amendment the Plaintiffs seek to correct the mistakes and the same is formal in nature and will not prejudice the Defendants and it will not change the nature and character of this suit. For proper and final adjudication of the suit the proposed amendment in the plaint necessary.

Hence, it is,

ORDERED

that the petition under Order 6 Rule 17 CPC and the petition u/s. 153 CPC filed by the Plaintiffs today are hereby allowed on contest.

Let the Plaint and Temporary Injunction Petition be amended accordingly.

Plaintiffs are directed to file amended copy of Plaint and Temporary Injunction petition.

Plaintiffs also move the petition U/O 11 Rule 2 of CPC for interrogatories.

Heard both sides.

Perused the said petition from which it appears that the Plaintiffs have filed the instant petition on the basis of the plea taken by the Defendant Nos. 1 & 2 in the W.S regarding defect of parties and non inclusion of entire ejmali properties.

This is a suit for partition. Having considered the aforesaid aspects the petition for interrogatories is necessary to be allowed.

Hence, it is,

ORDERED

that the petition for interrogatories filed today by the Plaintiffs is hereby allowed on contest. Defendant Nos. 1 & 2 are directed to give reply to interrogatories.

To 29.07.2021 for amended Plaint & Temporary Injunction Petition and for reply to the interrogatories and for S/R.

Dictated & Corrected by me.

C.J (Sr. Divn.), Lalbagh,Msd.  
J.O. Code – WB00832.

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