

P.S 439 of 2019
CNR WBMD06000544-2019

Order No. 16 / dated 12.09.2023.

Today is fixed for injunction hearing and reply to the interrogatories.

Defendant files hazira.

Defendant also files reply and time petition.

Time prayer of defendant is allowed.

Plaintiff files a petition u/O. 1, R. 10(2) CPC.

The record is taken up for hearing of petition u/o. 1 rule 10 (2) CPC.

Heard Learned Advocates of both sides.

Perused the petition and other materials on record.

It appears that the plaintiff has stated that the defendants filed answer in which they mentioned the names of 13 persons as mentioned in the schedule of the petition as the necessary parties in the suit and has prayed for adding them as principal defendant nos. 6 to 18 in this suit and has also prayed for renumbering the proforma defendants.

This is a suit for partition by metes and bounds and all the co-sharers are needed to be impleaded.

Hence, it is,

ORDERED

that the petition under Order 1 Rule 10 (2) C.P.C dated 12.09.2023 is hereby allowed on contest.

Let the names of 13 persons as stated in the schedule of the petition u/O. 1, R. 10(2) CPC dated 12.09.2023 be added as defendant nos. 06 to 18 in this suit.

Let proforma defendants be renumbered as proforma defendant no. 19.

Note the same in the Cause Title as well as in Register.

Plaintiff is directed to file amended copy of Complaint.

Plaintiff is also directed to issue summon upon the added Defendants.

To **07-06-2024** for filing of amended Complaint and for S/R and A/D in respect of added Defendants and injunction hearing.

Requisites be filed at once.

Dictated & corrected by me,

Civil Judge (Sr. Divn),
Lalbagh, MSD
J.O. Code – WB1116.

Civil Judge (Sr. Divn),
Lalbagh, MSD