

IN THE COURT OF DISTRICT JUDGE, NORTH 24 PARGANAS AT BARASAT

Present :
Sri Indranil Bhattacharyya (JO Code : WB-01135),
District Judge, North 24 Parganas

Misc. Case No.54 of 2024 (Act-VIII)

Order no.10 dated 09.07.2025

Today is fixed for hearing of the petition u/Or.6 Rule 17, read with Sec.151 of the CPC, dated 08.05.2025.

Hazira has been filed on behalf of the petitioner.

Now, the matter is taken up for consideration on hearing of the petition u/Or.6 Rule 17, read with sec.151 C.P.C. dated 08.05.2025, praying for amendment of the pleading of the application as filed under section 29 of the Guardians and Wards Act, 1890 for permission to sell a minor's property.

Heard and considered.

Ld. Advocate for the petitioner submitted that he needs not to press the earlier application dated 17.12.2024 filed under Or.6 Rule 17, read with Section 151 of the CPC.

Accordingly the prayer is considered and allowed.

The earlier application dated 17.12.2024 stands rejected since the same is not pressed.

Now, the application dated 08.05.2025 filed under Or.6 Rule 17 of the CPC is taken up for hearing.

Heard, Considered.

The case of the applicant /petitioner herein is that at the time of filing the application some important factual aspects could not be incorporated in the pleading that and that factual aspects have been mentioned in the schedule of the proposed amendment in the application under section 6 rule 17 read with Sec.151 CPC and that amendment should be allowed since the same is necessary for the purpose of determining the real question in controversy.

None opposes the petition.

Upon perusal of the application, going through the case record and considering the submission by the Ld. Advocate for the petitioner, it appears that the material facts which has been sought to be incorporated in the pleading as mentioned in the Schedule appears to be necessary for incorporation of in the pleading for the purpose of determining the real

question in controversy by and between the parties. This amendment has been sought for before the commencement of the trial.

In view of that, this Court is inclined to allow the prayer for amendment of the pleading as per schedule of amendment as mentioned in the petition under Or.6 rule 17 read with Sec.151 CPC as filed on behalf of the petitioner.

Accordingly, the petition under Or.6 rule 17 read with Sec.151 CPC is disposed of with a direction upon the petitioner to file the amended copy of the application in the instant Misc. Case.

Fix 27.08.2025 for filing the amended copy of application.

Dictated & Corrected by me,

Sd/-
District Judge,
North 24 Parganas

Sd/-
District Judge,
North 24 Parganas