

Ejectment Suit 01 of 2024..
[CNR No. WBPS01-000001-2024]
Before – Ashutosh Kumar Singh- Ld. Chief Judge.

Order No:-09.

07/01/2025.

Today is fixed for hearing of petition u/o-6 Rule 17 read with Section 151 of C.P.C filed by the plaintiff dated 26/11/2024 and the petition u/o-V Rule 20(1A) read with Section 151 of C.P Code shall be taken into consideration thereafter.

Plaintiff files hazira. On call, plaintiff is found present.

The petition u/o-6 Rule 17 read with Section 151 of C.P.C filed by the plaintiff on 26/11/2024 is taken up for hearing.

Ld. Advocate for the plaintiff submitted that in view of the observation made by this Court vide Order no 06 dated 12-08-2024 , the plaintiff intends to incorporate in the Cause Title of the plaint the second address of the defendant in which the defendant is residing at present for the purpose of sending summons upon him. He further submitted that the instant petition for amendment may be allowed, and the plaint may be amended as per schedule of amendment.

Heard Ld. Advocate for the plaintiff. Perused the petition , schedule of amendment, Order dated 12-08-2024 as well as materials on record.

Considered.

It appears from Order dated 12-08-2024 that this Court directed the plaintiff to take steps for service of summons at the alternative address of the defendant mentioned as residential address of the defendant in the plaint, which is known of the plaintiff.

Further ,careful perusal of the schedule of amendment , it appears that the proposed amendment is formal in nature and will not change the nature and character of the suit. Besides the same is necessary for the purpose of proper adjudication of the suit.

Moreso, defendant has not entered appearance in the suit as yet. The petition is also supported by affidavit.

Therefore, considering such attending facts and circumstance, this Court finds that the petition for amendment filed by the plaintiff may be allowed.

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Accordingly,

it is

Ordered

That the petition u/o-6 Rule 17 read with Section 151 of C.P.C filed by the plaintiff on 26-11-2024 is hereby allowed .

Let the plaint be amended as per schedule of the amendment made in the instant application. Note in the relevant register. Office to do the needful.

Plaintiff is directed to file amended plaint and take steps for service of summons in both ways along with amended copy of the plaint upon the defendant at the address of the suit premises as well as at the newly incorporated address of the defendant in accordance with law.

To (**06/02/2025**) for filing amendment plaint and taking steps by the plaintiff.

Dictated & corrected

by me :-

Chief Judge.

J.O .Code:- WB 01244.