

Ejectment Suit 167 of 2022.

[ CNR No WBPS 01 000284 2022. ]

Before – Ashutosh Kumar Singh- Ld. Chief Judge.

Order No:-11.

08-01-2024.

Today is fixed for consideration of the petitions filed on behalf of the defendant no-1 & defendant no-3 together with consideration of service reports upon rest of the defendants. Defendant no-03 is directed to serve copy of his petition to the plaintiff and defendant no-1 as well as consideration of petition u/o-6 Rule 17 read with Section 151 of C.P Code filed by plaintiff and hearing of petition filed by defendant no-03 for acceptance of W/S as well as adoption of W/S so filed by defendant no 1 & 3.

Parties file haziras. Parties are present on call.

Plaintiff receives the copy of petition dt 30-08-2023 filed by defendant no-3 and well as W/S filed by defendant no-1 from the record with endorsement.

The matter is taken up for hearing.

Heard both sides.

Perused the petition dt 30-08-2022 filed by defendant no-03 and materials on record.

Considered.

By filing the petition dated 30-08-2022, defendant no-3 has prayed for adoption of the W/S as well as the petitions filed u/s 7(1) & 7(2) of W.B.P T Act filed by defendant no-1 on 30-08-2022.

Neither plaintiff nor defendant no-1 has filed any W/O against the petition nor has raised any objection at the time of hearing.

This Court also does not find any illegality in the prayer of the defendant no-3.

*p.t.o.....*

Accordingly,

it is

Ordered

the petition dated 30-08-2022 filed by defendant no-3 is considered and allowed on consent. Defendant no-3 is permitted to adopt the W/S as well as the petitions filed u/s 7(1) & 7(2) of W.B.P T Act filed by defendant no-1 on 30-08-2022 .

W/S filed by defendant no-1 on 30-08-2022 is accepted.

So far the petition u/o-6 Rule 17 read with Section 151 of C.P Code filed by plaintiff on 28-07-2022 praying for amendment of the plaint to the extent of amendment of the Pin Code of the defendants are concerned, the same also stands allowed since the same is formal in nature and will not change the nature and character of the suit, rather the same will be helpful for the purpose of proper adjudication of the suit. Accordingly, 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 serve a copy thereof to the contesting defendants.

Thus the two petitions filed by the parties are disposed of.

Fix ( **10-04-2024**) for hearing of petition u/s 7(2) of W.B.P T Act filed defendant no-1 which is also adopted by defendant no-3 dated 30-08-2022 and filing of amendment plaint by the plaintiff and taking steps by the plaintiff for service of summons upon rest of the defendants .

Dictated & corrected

by me :-

Chief Judge.

Chief Judge

J.O .Code:- WB 01244.