

Ejectment Suit 169 of 2022.
[CNR No WBPS 01 000285 2022]
Before - Ashutosh Kumar Singh- Ld. Chief Judge.

Order No:-21.

20/02/2025.

Today is fixed for awaiting report from the department , thereafter amended plaint shall be taken from the consideration.

Parties file haziras.

On call, Ld. Advocate for the defendant is found present.

But on repeated calls none appears for the plaintiff.

Ld. Advocate for the defendant submitted that if the amended plaint filed by the plaintiff is accepted, then the defendant may be given an opportunity to file additional Written Statement .

Heard submissions from the defendant.

Record reveals that as per marginal noting of the dealing assistant, the amended plaint filed on 28/01/2025 does not tally with the Order dated 13/11/2024.

However, upon careful scrutiny of the order dated 13/11/2024 as well as the amended plaint filed on 28/01/2025, it appears that due to typographical mistake, in the ordering portion of the Order No 18 dated 13/11/2024 , plaintiff no 1(c) has been inadvertently mentioned ,which actually ought to have been be only plaintiff no 2(a) & 2 (b). This error requires to be removed from the face of the record. Accordingly, Order No 18 dated 13-11-2024 is hereby modified to the extent that in the ordering portion in 8th line, the words "& 1(c)" be deleted. All the other portions of the said order shall stand 'as-it- was'.

In the light of the aforesaid order, this Court finds that prima facie the amended plaint filed by the plaintiff dated 28/01/2025 is in order and the same may be accepted.

It appears from Order dated 18-08-2022 that the defendant has already filed the Written Statement and the same was accepted on the self-same date. Therefore, since the matter has become contested, let the case be **transferred** to the Court of Ld. Judge **2nd Bench**, Presidency Small Cause Court, Calcutta for disposal.

Parties are directed to appear before the transferee Court on **24/03/2025**.

Defendant shall be at liberty to file additional written statement if any before the transferee Court.

Dictated & corrected by me:-

Chief Judge.

J.O .Code:- WB 01244.

