

EJECTMENT SUIT NO. 600 OF 2016
C.N.R No. WBPS01-001243-2016

IN THE COURT OF 4TH BENCH, PRESIDENCY SMALL CAUSE COURT,
CALCUTTA
PRESENT: SMT. ARCHITA SEN, JUDGE, 4TH BENCH, PRESIDENCY SMALL
CAUSE COURT, CALCUTTA.

ORDER NO-51
DATED 10.11.2025:

Today is fixed for hearing of the petition dated 26.08.2025 under Order VI Rule 17 of the Code of Civil Procedure filed by the plaintiff. Plaintiff files attendance through its Ld. Advocate. No steps are taken by the defendant.

No written objection has been filed by the defendant against the petition dated 26.08.2025.

The record is taken up for hearing of the petition dated 26.08.2025 under Order VI Rule 17 of the C.P.C.

Heard the Ld. Advocate for the plaintiff. Perused the case record including the petition.

Considered.

The amendment has been sought to replace the word "Suite no.9A" with the word "Suite no.9B" in the cause title, schedule, paragraph no.2 of the plaint and also to replace the word "Suite no.9B" with the word "Suite no.9A" in paragraph no.4 of the plaint. It is submitted on behalf of the plaintiff that it is an inadvertent mistake. For that reasons the plaintiff filed the instant petition.

No written objection is has come from the side of the defendant.

It appears from the record that the plaintiff is the owner/landlord of the entire building of 113B Muzaffar Ahmed Street and there are other tenants at that building. The Ld. Advocate for the plaintiff submitted that this plaintiff has filed another eviction suit in respect of suite no.9A. So the number of the suit premises has been mistakenly written as 9A in this suit. The proposed amendment is formal in nature and if the prayer of the plaintiff is allowed it will not change the nature and character of the suit, nor the interest of the defendant will be prejudiced.

On perusal of the petition and post considering the contemplation of the plaint this Court is of the view that the amendments that are sought for are of such a nature that is in consonance with the facts embodied in the plaint. So in the opinion of the Court that amendment will not change the nature and character of the suit nor it is of such a nature which is barred by the law of limitation. This Court finds no impediment to allow the instant prayer.

Accordingly it is

O R D E R E D.

That let the amendment as sought for by the petition under Order VI Rule-17 of the Code of Civil Procedure, dated 26.08.2025 is allowed.

Let the petition under Order VI Rule-17 of the Code of Civil Procedure dated 26.08.2025 be treated as part of the plaint.

D.A. to do needful. Note accordingly.

Plaintiff to file amended plaint within next date positively after serving copy of the same upon the defendant.

The petition under Order VI Rule-17 of the Code of Civil Procedure, 1908 dated 26.08.2025 is thus allowed and disposed of without contest and costs, in above terms.

To 19-12-2025 for steps by plaintiff.

Typed, Corrected and Printed by me.

Judge, Bench-4
PSCC, Calcutta
J.O Code WB01174

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