

**EJECTMENT SUIT NO :- 1446/2000**

Order no. 165

Dt. 25.09.2018

Today is fixed for hearing of the petition under Order 6, Rule 17 of CPC.

The petition is taken up for hearing.

Heard Ld. Advocate for both the parties.

Perused the petition and material on record.

Considering the facts and circumstances, I find that the plaintiff has prayed for an amendment with a view to insert some facts which are material for proper adjudication of this case. The Ld. Advocate for the plaintiff submitted that it is required for proper adjudication of the case to insert the fact which took place in the recent past. Ld. Advocate for the defendant objected verbally.

From the above discussions, I am of the opinion that the said amendment is formal in nature and will not change the nature and character of the suit. The said amendment is also required for proper adjudication of the suit. The petition be allowed but upon payment of cost for filing the same at this belated stage.

Hence, it is

**ORDERED**

that the petition filed by the plaintiff under Order 6 Rule 17 is hereby allowed on contest.

To 10.12.2018 for filing additional W. S. The plaintiff is directed to file amended plaint in the meantime upon service of copy to the defendant at least 15 days before.

Judge, 2 nd Bench  
P. S. C. Court, Calcutta.