

MACC No. 31 of 14 (172 of 15)

15.2.19..

Today is fixed for hearing of the application dated 22.1.19 under Order 6 Rule 17 read with Section 151 of the CPC praying for amendment of the original claim application filed by the petitioner/claimant on the ground stated therein.

Claimant as well as OP No.2, OP No.4 and OP No.3 file their respective haziras through their lawyers.

Heard the learned advocates for the parties. Perused the application and other materials on record.

The learned advocate for the claimant submits that at the time of filing instant case, due to inadvertence and oversight the name of the petitioner has been mentioned in the cause title of the claim application as “Krishna das Banerjee” instead of “Krishnadas Banerjee” and as such the claim application should be amended accordingly. He further submits that the proposed amendment will not change the nature and character of this case and neither of the parties will be prejudiced in any way if the amendment sought for specifically mentioned in schedule of the petition is allowed.

The Ld. Advocates for the Opposite parties raised no objection.

On perusal of the materials on record, I find that the proposed amendment is necessary for just determination of this case and neither of the parties will be prejudiced if the proposed amendment sought for by the claimant is allowed. More so, the proposed amendment will not change the nature and character of the case.

In the light of the foregoing discussion the amendment application filed by the claimant is hereby allowed. Dealing Assistant is directed to make necessary correction accordingly.

Petitioner/claimant is directed to file amended claim application.

Fix 3.4.19 for filing amended claim application and also for P.hearing.

Dictated and Corrected by me

Judge, M.A.C. Tribunal
1st Court, Purulia.

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