

**Misc Case No.4 of 16 (16 of 16) (arising out of LA Suit No.21 of 2006)**

**17.1.19**

Today is fixed for hearing of the application dated 21.2.18 under Order 6 Rule 17 read with Section 151 of the CPC praying for amendment of the original Misc petition filed by the petitioners on the ground stated therein.

Both the parties filed their respective haziras through their lawyer.

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

The learned advocate for the petitioners submits that at the time of filing instant Misc case praying for revocation of grant of letter of administration name of father of application No.1 has been mentioned as "Baran Deo Singh" instead of "Baram Deo Singh". The said fact came into the notice of the petitioner after OP No.1 filed written objection against the petition for condonation of delay. He further submits that as such the the original Misc application should be amended accordingly. He also 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. Advocate for the O.P 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 petitioner is allowed as OP No.1 himself admitted the name of the father of applicant No.1 as Baram Deo Singh. 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 petitioner is hereby allowed. Dealing Assistant is directed to make necessary correction accordingly.

Petitioners to file amended Misc application by the next date.

Fix 6.3.19 for hearing of the application filed by the petitioner praying for condonation of delay.

Dictated and Corrected by me

Judge, M.A.C. Tribunal  
1<sup>st</sup> Court, Purulia.

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