

MACC-686/2021

Order no.23 dated 11.11.2025

Today is fixed for hearing of the petition under Order 8 Rule 9 of CPC.

Both parties file hazira.

Heard Ld. Advocates. Perused the petition. Considered.

On perusal of the petition it appears that OP No.2 Chola Mondalam M/s General Insurance Company Ltd has filed a petition praying for granting leave to file additional written statement. On perusal of the case record it appears that WS has already been filed by OP-2 on 01.12.2021. Trial has already been commenced. Petitioner / claimant has adduced his evidence, cross-examined in full. After that OP-2 has prayed for filing additional written statement. By filing this additional written statement petitioner wants to state that it is an implanted case. The provision of Order 8 Rule 9 is to be used only exceptional cases and cannot be exercised by the defendant as a matter of right. At this stage I am not inclined to accept any such rejoinder or additional written statement.

Accordingly this petition is rejected.

To **18.12.2025** for DW.

Dictated and corrected by me

Addl. District Judge

Addl. District Judge
3rd Court, Alipore
(WB00742)