

Mat. Suit-59/2021.

Order No.42.

Dated: 03.12.2025:

Today is fixed for hearing of the Petn. U/O. VI R 17 of C.P.Code.

Both parties file hazira.

Thereafter, petn. U/O. 6 R 17 of C.P. Code is taken up for hearing.

Perused the schedule of the proposed amendment.

Also perused the W.O.

Hd. both sides.

From perusal of the proposed amendment it appears that the proposed amendment will not change the nature and character of the suit.

Moreover, it is settled legal position that the merits of the proposed amendment cannot be adjudicate at this stage of hearing of the amendment petition itself and the Court should be liberal in this regard.

In view of the above stated reasons,

Hence,

it is Ordered

that the petn. dtd. 11.05.22 filed U/O VI R 17 of C.P. Code is allowed on contest, without any costs.

Respondent to file Amended W.S. by 17.12.25 in compliance with the provisions of O VI R 18 of C.P. Code.

After filing of Amended W.S. the petitioner is at liberty to file Rejoinder, if any.

D/C by me.

ADJ, FTC-II, Sealdah.

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