

Order No.24.

Dt.11.04.23.

Today is fixed for exparte hearing of the suit.

Petitioner files hazirah.

Ld. Advocate appearing for the petitioner drew the attention of this Court that a petition dated 19.01.23 is pending for disposal. The same is taken up for hearing.

Perused. Heard.

Submitting the petition, petitioner has prayed for allowing him to amend the plaint for divorce.

At the outset be it stated that the application has been captioned under order 17 rule 6 of CPC in stead of order 6 rule 17 of CPC. For avoiding unnecessary delay the said application is construed as one under order 6 rule 17 of CPC.

Comparative study of the application u/sec.27 of the Special Marriage Act and the Schedule of proposed amendment reveals that the amendment sought for if allowed shall not change the nature and character of the suit. Accordingly, the same merits to be allowed.

Hence, it is,

O r d e r e d

that the application dated 19.01.23 is allowed exparte without any order as to costs.

Petitioner is to submit amended application. Petitioner to serve notice upon the respondent at the address as sought to be incorporated by way of amendment.

To 14.07.23 for SR.

Amended application to be filed in the meantime.

D/C:

ADJ FTC-II Sealdah

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