

T.S. 61 OF 2019  
**Reg. 231 of 2008**

**JO Code: WB01068**

**Order No. 86**

**Date: 13.12.24**

Ld advocate on behalf of the plaintiff files absent petition.

Ld advocate on behalf of the defendants files hazira.

Today is fixed for hearing under Order 6 Rule 17 CPC.

The petition is taken up for hearing.

Perused the petition, the WO filed by the defendants and other materials on record.

Heard both sides.

During hearing ld advocate for the plaintiff submitted that there are some mistake in the plaint and one plot number being RS 402, Khatian no. RS-342 was not brought into hotchpot. Apart from that there are some mistake in the share of the parties which are required to be corrected. Hence, the amendment petition is brought by the plaintiff.

During hearing ld advocate for the defendants admitted the fact of bringing the RS plot no. 402 into the common hotchpot and regarding the mistake of share of the parties but raised objection regarding the para no. 3 of the amendment petition.

Considered.

It appears from the para no. 2 of the amendment petition that para no. 7 of the plaint is sought to be deleted and so para no.3 of the amendment petition is irrelevant. However regarding the rest portion of the amendment petition, I am satisfied that the amendment sought for, will not change the nature, character and cause of action of the suit is necessary for the purpose of determining the real questions in controversy between the parties. So, the application under Order VI Rule 17 of the C.P.C. is allowed except the para no. 3 of the said amendment petition, but without any cost.

To 24.03.2025 for amended plaint and steps.

D/C by me

Sd/-

Sd/-

ACJM-cum-CJSD, Kakdwip

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