

T.S. 235 OF 2018

Reg. 194 of 2009

JO Code: WB01068

Order No.124

Date: 22.01.24

Today is fixed for passing order.

Both parties file their respective haziras.

The petition under Order 6 Rule 17 CPC filed by the plaintiff on 16.08.2023 is taken up for passing order.

Perused the petition and materials on record.

During hearing ld advocate for the defendant raised objection on the grounds that new plots numbers are introduced.

On the other hand ld advocate for the plaintiff submitted that no new plot number is introduced and the amendment is required for the purpose of proper adjudication.

Considered.

The proposed amendment appears to be required for the purpose of proper adjudication and avoiding multiplicity of proceedings and future complications. Moreover, I am satisfied that the amendment sought for, will not change the nature, character and cause of action of the suit. So, the application under Order VI Rule 17 of the C.P.C. is allowed but without any cost.

The application under Order I Rule 10 CPC filed by the plaintiff on 16.08.2023 is taken up for passing order.

Perused the petition and materials on record.

Ld advocate for the plaintiff who states that after getting plot information it has come to knowledge that some parties are not added who are necessary parties and their names are required to be added as parties to this suit.

Considered.

In my considered view since the parties whose names are required to be added as necessary parties and their presence are necessary in order to enable this court to effectually and completely adjudicate the question involved in this suit, hence the application under Order I Rule 10 CPC is allowed but without any cost.

Amend the plaint accordingly and register the same.

To 15.04.2024 for steps, compiled plaint in the mean time and additional WS if any.

Sd/-

ACJM-cum-CJSD, Kakdwip