

Suit/Interlocutory matter

17

**07.02.19**

Today is fixed for hearing of the amendment application dated 15.05.2017 filed by the plaintiff Sankar Kumar Gayen.

The learned lawyer for the plaintiff is present by filing *hazira* and also files a petition for extending the interim order for attachment till the next date.

The learned lawyer for the defendant no. 1 is also present by filing *hazira*.

Be it noted that in this case, initially, the learned lawyer Ashish Benia had entered appearance on behalf of both the defendants, namely, Shefali and Dipali Patra. Subsequently, he filed the written statement on behalf of the defendant no. 1 Shefali Patra only. He is no longer representing the defendant no. 2. So, this suit shall proceed *ex parte* as against the said defendant no. 2.

Again, on 28.08.2015 the plaintiff had filed an application for attachment before judgment in which the then learned presiding officer at Diamond Harbour was pleased to pass an interim order. It appears that such petition is till pending.

Today the learned lawyer representing the defendant no. 1 has expresses his inability to take part in the final hearing of the said petition on the ground that he has no instructions from his client. But at the same time he submits that he has no objection if the amendment application is allowed.

Heard the learned lawyer for the plaintiff over the said amendment application dated 15.05.2017 and perused the case record.

Considered.

It appears that save and except the point no. 1 of the amendment application the remaining amendments can be allowed as the same would only rectify some typographical errors and in no way change the nature and character of the present suit.

Accordingly, such application stands allowed.

The *ad interim* order of attachment also stands extended to the next date.

To **19.03.2019** for hearing of the application dated 28.08.2015 regarding attachment before judgment and filing of amended plaint by the plaintiff.

Dealing assistant to note accordingly.

Sd/-

(Civil Judge, sr. divn., Kakdwip)

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(Civil Judge, sr. divn., Kakdwip)