

Mat Suit No. 70 of 2022
CNR No.WBUD01-000722-2022
J.O Code-WB00891

11/02.03.2023

Today is fixed for hearing of the petition dated 28.02.2023 filed by the petitioner under Order 6 Rule 17 of CPC with a prayer for amendment of the plaint as mentioned in the schedule.

Petitioner files hazira.

OP takes no steps. None appears on his behalf in spite of repeated calls.

It appears that by order dated 21.09.2022 the matter was fixed for hearing ex-parte against the present OP/husband. Accordingly, instant petition under 6 rule 17 of CPC is taken up for hearing.

Referring to the petition Ld. Advocate for the petitioner submits that some incidents relating to cruelty and torture could not be mentioned in the original plaint due to omission. The same is now required to be incorporated for effective adjudication of the dispute between the parties. The proposed amendments shall not change the nature and character of this matrimonial suit or cause prejudice to the other side. He thus, makes a prayer for allowing the same.

Hd. ld. Adv for the petitioner.

Seen the petition so filed.

Considering the fact that the proposed amendment shall not change the nature and character of this suit and shall help in adjudicating this dispute on merits, I am inclined to allow the same.

Accordingly the petition dated 28.02.2023 filed by the petitioner under Order 6 rule 17 of the CPC is allowed ex-parte and disposed of without any cost.

Petitioner to file amended plaint and serve a copy of the same upon the opposite party in the addresses mentioned in the petition.

Fix **06.05.2023** for filing amended plaint and S/R of notice.

Dictated by me.

Addl. Dist Judge
FTC-II, Raiganj, U/D

Addl. District Judge
FTC-II, Raiganj, Uttar Dinajpur

