

Title Suit 42/2016
C.I.S. Reg. No.94/2017

Order No. 33 dt. 18.12.2019

Both the parties file hazira.

Today is fixed for hearing of the petition under Order 1 Rule 10 C.P.C., dated 17.01.2019 and the petition under Order 6 Rule 17 C.P.C., filed on behalf of the plaintiff.

For the ends of justice, the petition under Order 1 Rule 10 C.P.C., dated 17.01.2019 is taken up for hearing.

Perused the petition along with all the other available materials on record.

Heard the submissions advanced by the Ld. Advocates appearing on behalf of both the parties.

Through the medium of the instant petition, plaintiff has prayed for adding one Tapan Mandal as principal defendant and State of West Bengal along with B.L.&L.R.O., Garhbeta-III as proforma defendants, in the instant suit, thereby, stating them to be necessary parties in the instant suit. It has been further stated on the part of the plaintiff that the defendants, too have admitted them to be necessary parties in the instant suit in their written statement.

Ld. Advocate appearing on behalf of the defendants submitted that the instant petition has been filed with severe delay and long after the written statement was filed on their part.

Upon due consideration of all the relevant aspects and for the sake of proper and effective adjudication of the instant suit, I am inclined in allowing the prayer of the plaintiff, though it can be clearly ascertained that there has been unjust delay on his part, in filling the instant petition.

For the ends of justice, the petition under Order 1 Rule 10 C.P.C. dated 17.01.2019, is hereby **allowed with a cost of Rs.100/-**.

Let the names of the parties as mentioned in the schedule of the instant petition be impleaded as party/defendants in the instant suit.

Plaintiff is directed to file revised plaint, by the next date so fixed.

On the prayer of the plaintiff, the order of ad-interim injunction, stands extended till next date, so fixed.

Fix **06/02/2020** for hearing of the petition under Order 6 Rule 17 C.P.C.

To date for filing revised plaint and payment of cost of Rs.100/-.

Dic.& Corr. by me;

Judge

Civil Judge, Jr. Divn.
Garhbeta, Paschim Medinipur.