

Item No. 03

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IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

CO 1152 of 2023

**Mst. Mehabuba Khatun
Vs
Minor Sabrin Khatun & Ors.**

Mr. Anit Kumar Rakshit,
Mr. Subham Rakshit.

...for the petitioner.

1. This revisional application has been preferred assailing the Order No. 71 dated 24.11.2022 passed in connection with Title Suit No. 300202 of 2014, wherein Learned Civil Judge (Junior Division), 2nd Court, Chandernagore, Hooghly allowed one application under Order 6 Rule 17 read with Section 151 of the Code of Civil Procedure filed by the plaintiff, in part. Learned Judge allowed point Nos. 1 and 2 of the proposed amendment and refused the prayer for amendment on other points.
2. Learned counsel appearing on behalf of the petitioner has submitted that amendment application was filed not only before the commencement of trial but also with a prayer for incorporation of amendment which was formal in nature.
3. Having heard the learned counsel appearing on

behalf of the petitioner and also having gone through the order impugned and copy of the application for amendment, the revisional application stands admitted.

4. Petitioner is directed to serve notice along with the copy of the revisional application with all annexures upon the opposite parties through the speed post with A/D and to file affidavit of service on the returnable date.
5. Learned counsel appearing on behalf of the petitioner has further made a prayer for stay of proceeding as proposed amendment is required for just decision of the suit.
6. Regard being had to the above, the further proceeding in respect of Title Suit No. 300202 of 2014, passed by the Learned Civil Judge (Junior Division), 2nd Court, Chandernagore, Hooghly be stayed for a limited period i.e. till last week of February, 2025 or until further order whichever is earlier.
7. Let the matter appear in the Combined Monthly List of February, 2025 under the heading "Contested Application".
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)

