

OD-7

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

CS/5/2025

MAMATA BASU
VS
ANJALI DEY AND ORS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date: January 30, 2025.

Appearance:

Mr. Anirban Bose, Adv.

Mr. Surodeep Sen, Adv.

Mr. Satyajit Senapati, Adv.

Ms. A. Senapati, Adv.

...for the plaintiff

The Court : Mr. Anirban Bose, learned Counsel, is appearing for the plaintiff.

The matter is placed before this Court under the heading "Presentation of Complaint" on receipt of the Report of the Master dated 21st January, 2025.

In the report it is mentioned that in paragraph 32 of the complaint, the plaintiff seeks entitlement to join and/or permit her to join cause of action against the defendants in the instant suit but the plaintiff has not prayed for any leave.

Counsel for the plaintiff submits that the plaintiff has not prayed for any recovery of possession. Even though the plaintiff has not prayed for leave

under Order II Rule 3 of the Code of Civil Procedure, it is the plaintiff who has to face the consequence if any objection is raised by any of the parties to the suit at the time of hearing of the suit. Thus, if the plaintiff has not prayed for any leave, the plaint cannot be returned.

Accordingly, the Master is directed to take appropriate steps.

(KRISHNA RAO, J.)

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