

OCD-4

ORDER SHEET

IA No.GA-COM 2 of 2024  
In  
CS-COM 494 of 2024  
(Old No.CS 74 of 2023)  
IN THE HIGH COURT AT CALCUTTA  
ORIGINAL SIDE  
(COMMERCIAL DIVISION)

RAIJADA MARBLES AND ORS.  
VS.  
ROYALBUILT INFRASTRUCTURE PRIVATE LIMITED & ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 29<sup>th</sup> February, 2024.

Mr. Deepnath Roy Chowdhury, Mr. Bhaskar Dwivedi, Mr. Hareram  
Singh, Ms. Shilpa Das, Advocates for the plaintiffs.

The Court : This is an application for amendment of the plaint at a stage prior to service of the Writ of Summons. The amendment application, therefore, is moved without serving a copy thereof on the defendants. The proposed amendment is shown in red ink in a copy of the plaint annexed to this application. Although, in the Master Summons it is mentioned that the copy of the plaint containing the proposed amendment is annexure 'A' to this application but there is no such marking. The plaint is the only annexure to this application and as such the amendment can be carried out by the department even though it is not shown as an annexure. I am told that the plaintiffs/petitioners have paid the court fees applicable on the copy of the plaint being made an annexure to this application.

The amendments are formal in nature and shall in no way change the nature and character of the suit or withdraw any admission in the plaint.

The amendment as shown in red ink in a copy of the plaint is allowed. Let the amendment be carried out within three weeks from date. The plaintiffs/applicants shall render all co-operation to the department for carrying out the amendment. After the amendments are carried out, the applicants shall be at liberty to re-verify and re-affirm the plaint. The plaintiffs while lodging the Writ of Summons for service shall supply requisite number of copies of the amended plaint.

Nothing further remains to be adjudicated in this application.

The application being GA-COM 2 of 2024 is accordingly disposed of.

(ARINDAM MUKHERJEE, J.)