

OD-12

ORDER SHEET

CS/193/2018

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

BRIJ LAL AGARWAL AND ORS  
-VS-  
ARUN KUMAR DHANUKA

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : May 4, 2023.

Appearance:

Mr. Kushagra Saha, Adv.

Mr. S. E. Huda

Md. I. A. Lodhi, Adv.

Sk. Aptabuddin, Adv.

The Court: Counsel for the respective parties are present.

Though GA/6/2023 was disposed of by an order dated 11<sup>th</sup> April, 2023 but on consent of the parties, the same is treated as on day's list.

By an order dated 11<sup>th</sup> April, 2023, this Court has allowed prayers (a) to (c) of the Master's Summons in connection with GA/6/2023. The Registrar, Original Side has submitted a report dated 2<sup>nd</sup> May, 2023 wherein it is mentioned that the record was not available with the department and it was available in the Court room and subsequently when the record was placed in the department due to inadvertence within the specified time the amendment could not be carried out and prayed for extension of time to carry out the amendment. As per the request made by the learned Registrar, Original Side, time to carry out the amendment is allowed for a further period of two weeks.

Counsel for the plaintiff submits that though this court has disposed of GA/6/2023 by allowing prayers (a) to (c) but prayers (d), (e) and (f)

are also required to be allowed. Until and unless the prayers (d), (e) and (f) are allowed, the department will not be in a position to carry out the amendment and the petitioner will not be in a position to reaffirm the verification.

In view of the submission made by the counsel for the plaintiff, prayers (d), (e) and (f) of GA/6/2023 are also allowed.

The order dated 11<sup>th</sup> April, 2023 is modified to that extent.

(KRISHNA RAO, J.)