

WPMS No. 360 of 2013

Hon'ble Kalyan Jyoti Sengupta, J.

Mr. Pradeep Kumar Chauhan,
Advocate, present for the petitioner.

In this writ petition, I feel that this matter should not be admitted for final hearing. I have gone through the impugned order allowing amendment and I have also perused the grounds to impugn the order.

Since the amendment has been allowed in exercise of the discretion by the learned court below, I cannot interfere with the same in the absence of the allegation that such amendment has materially altered the original case. Of course, on previous occasion amendment was allowed by which the original case has been altered. In spite of the situation, no objection was taken at that stage.

Accordingly, I keep all the points open to be agitated by the petitioner at the time of the trial of the suit. I think this suit is quite old one and should be disposed of as early as possible. Therefore, I direct the learned court below to dispose of the suit finally within a period of four months from the date of communication of this order.

With the aforesaid observation, the writ petition is disposed of.

No order as to costs.

(K.J. Sengupta, J.)

28.02.2013

Aswal