

T.S.-90/2021

13/08/25

Today, the case-record is put-up for order on the petition of the plaintiffs filed on 12.05.2023. Ld. Counsel on behalf of plaintiffs submits that the defendant namely Paras Prasad had died on 17.03.2023 leaving behind his heirs namely Uday Prasad, Bhola Prasad and Arjun Prasad. As these persons who are the legal heirs of defendant no.01 are already party to this suit as defendant nos.02 to 04, there is no need to substitute their names in place of defendant no.01. Hence, it is prayed to delete the name of defendant no.01 in this suit.

No rejoinder has been filed by defendants yet. They have already been debarred from filing the same on 08.05.2024 after giving ample opportunity to them.

As the legal heirs of the defendant no.01 are already on record from the date of filing of the suit and defendant no.01 had died on 17.03.2023, there is necessary to delete the name of defendant no.01 Paras Prasad from the cause-title. The petition for the same has been filed on behalf of the plaintiff dt. 12.05.23 is within time. No objection is there against this fact on the record. Hence, the Office-Clerk is hereby directed to delete the name of the defendant no.01 from the cause-title of this suit accordingly.

Put up on 12.09.2025 for the same and further for the proceeding of S. 89, C.P.C.


C.J. (Sr. Div.)-IV
LKR