

ORDER-SHEET

T.S. No. 44/2025

18.07.2026

1. Petitioner Smti Malobika Rajbongshi is present.

2. The petitioner Smti Malobika Rajbongshi has filed a petition being petition no. 1746/2026 stating that the plaintiff of the instant suit died on 01.03.2026 as such, the plaintiff is required to be substituted by his legal heirs. It has further been stated in the petition that the petitioner Smti Malobika Rajbongshi is the daughter of the deceased plaintiff late Debendra Nath Rajbongshi @ Deben Rajbongshi. The petitioner has, therefore, prayed to substitute her name in place of the name of her deceased father and to proceed with the suit as plaintiff.

3. Photocopies of Death Certificate of late Debendra Nath Rajbongshi, Aadhar Card and PAN Card of the

petitioner have been annexed to the petition.

4. Heard the learned counsel for the petitioner.

5. Perused the case record.

6. Considering that the right to sue survives, the legal heir of the deceased plaintiff i.e., the petitioner, is substituted in place of the deceased plaintiff late Debendra Nath Rajbongshi in the instant suit as this Court is of the considered opinion that the same shall serve the ends of justice and also that no prejudice shall be caused to the other party.

7. Accordingly, the Dealing Assistant shall strike out the name of the deceased plaintiff i.e., late Debendra Nath Rajbongshi from the cause title of the plaint and insert the name of the petitioner Smti Malobika Rajbongshi by way of substitution in red ink in presence of the learned counsel for the petitioner.

8. Dealing Assistant shall do the needful.

9. The petition no. 1746/2026 is allowed and disposed of accordingly.

10. Fix **01.08.2026** for compliance of this order/necessary order.