

M.A.C. Case no.07 of 2017 (23 of 2017)

CNR-WBBD01-000130-2017

Order No. 25 Dated 22/02/2023

Today is fixed for hearing petition u/o 22 Rule 3 CPC.

Hazira filed on behalf of the petitioners and OP/Insurance Co. through lawyers.

Perused the petition.

It appears that the petitioners have prayed for substitution of the names of the legal heirs (wife and two daughters) of petitioner no.2, Sri Manu Hazra stating that petitioner no.2 has died on 10/9/2017 leaving behind wife and two daughters as her legal heirs. The petition is verified and photo copy of death certificate has been filed.

Ld. Advocate for the petitioners moved the petition and Ld. Advocate for the OP/Insurance Co. left the matter to the discretion of the court.

The petition u/o 22 Rule 3 CPC is considered and allowed.

Let the legal heirs of petitioner no.2 mentioned in the application be substituted as claimants in place of petitioner no.2 and be marked as petitioner nos. 2(a), 2(b) & 2(c). The claim application be amended accordingly and the matter be noted in the relevant register.

From the record it also appears that by order no. 15 dt. 4/9/2019 one application u/o 6 Rule 17 read with Sec. 151 CPC was allowed but no amended claim application has been filed in terms of that order.

The petitioners are directed to file amended claim application in terms of order no. 15 dt. 4/9/2019 and this order.

Fix 10/03 /2023 for filing amended claim application.

Dict. & Corrected by

Sd/-

Judge, M.A.C. Tribunal 1st Court,
Burdwan

Sd/-

Judge, M.A.C. Tribunal 1st Court,
Burdwan
(JO Code WB00776)