

In the Court of Additional District Judge, 1st Court, Bankura

Present: Sk. Mohammad Reza
JO Code: WB00653

Title Appeal No. 23 of 2017
Registration no: 146 of 2015

Order No.68,
Dated: 27.09.2024

Hazira filed on behalf of the appellant. Today is fixed for S/R appearance and hearing of the substitution petition dated 26.07.2021 filed by the legal heirs of the appellant no.1. Respondents are absent without taking any step. On repeated calls none appears from the respondents. The matter is running exparte against Respondent no.13. Heard Ld. Lawyer for the petitioners. Perused the substitution petition dated 26.07.2021 as well as the petition for condonation of delay and other materials on record. Considered. It appears to me that due to lock down during Covid-19 pandemic the petition for substitution petition is not filed within time and the cause of delay has been properly explained. Since the appellant no.1 has died and his legal heirs are willing to continue the appeal by substituting themselves in this case this court is of the view that they should given an opportunity to that effect. Substitution petition dated 26.07.2021 is accordingly allowed and the delay in filing the same stands condoned. Both the petitions are accordingly disposed of. Legal heirs of appellant no.1 are hereby substituted as appellant no.1(Ka), 1(Ga) and 1(Gha). Amend the memo of appeal accordingly. Substituted appellant are directed to take proper steps upon the respondents upon whom notice has not been served till now.

To 21.12.2024 for S/R.

Appellants to put in requisite in the meantime.

Dictated and corrected by me-

Sd/-
A.D.J., 1st Court,

Sd/-

Additional District Judge,
1st Court, Bankura