

T.S. 72 / 22 (Reg. No. 72 / 22 )

Present : Smt. Jyotsna Roy (J. O. Code WB00933)

Order no. 6 dated 20.12.2022

Parties take step.

Record is taken up for hearing injunction petition.

Ld. Counsel of the defendants prays for time for filing W/O against the instant application.

Let the prayer for time for filing W/O be allowed for the ends of justice.

There is another of the plaintiff for extension of the order of ad-interim injunction dated 10.08.22.

Let the prayer for extension of the order of ad-interim injunction be allowed for the ends of justice.

Now, the record is taken up for hearing petition u/O 1 Rule 10 (2) read with Section 151 CPC dated 28.09.22.

It is stated by the plaintiffs that plaintiff no.4 / Subhasish Chattopadhyay died leaving behind his legal heirs, i.e., his wife Nilima Chatterjee and two sons Snehasish Chatterjee and Rabindranath Chatterjee as per Hindu Succession Act and they may be add in this suit as plaintiff nos.4(ka) to 4(c) for effective and complete adjudication of this suit.

Under the circumstances, plaintiffs intend to strike out the name of plaintiff no.4 / Subhasish Chattopadhyay from the cause title of the plaint for adjudication of this suit effectually and completely.

This is a suit for declaration and partition and for proper adjudication of this suit, those legal heirs may be added in this suit as plaintiff nos. 4(ka) to 4(c) respectively.

Perused the petition and considered.

I think those legal heirs of the said deceased plaintiff should be added in this suit for proper disposal of this suit.

The application is bonafide and it should be allowed.

Hence, it is

**Ordered**

that application filed by plaintiffs on 28.09.22 under Order 1 Rule 10 (2) and u/s 151 CPC is considered and allowed ex-parte.

Let Nilima Chatterjee, Snehasish Chatterjee and Rabindranath Chatterjee be added in this suit as plaintiff nos.4(ka) to 4(c).

Let name of plaintiff no.4 / Subhasish Chattopadhyay be struck out from cause title as prayed for by plaintiffs.

Amend the plaint and note in the suit register.

Thus, the petition under Order 1 Rule 10 (2) read with section 151 CPC is disposed of.

To 07.02.23 for filing amended plaint, W/S by defendants and hearing injunction petition.

Dictated & Corrected by me

Civil Judge (Sr. Divn.), Bishnupur

Civil Judge (Sr. Divn.), Bishnupur