

Title Appeal 01 of 2017
CNR No.-WBBK090001382017

Order No. 28
Dated 18.02.2022

Today is the date fixed for passing order in respect of three petitions dated 07.05.2018, 15.10.2020 and 18.03.2020.

Appellants file hazira.

Respondents file hazira.

Ld. Advocate for the appellants is present

Ld. Advocate for the respondents is present.

Record is taken up for passing order.

In the petition dated 07.05.2018 legal representative of appellant no. 7 have prayed for impleading them in this case as appellant no. 7 Smt. Thandabala Konar was died on 09.04.2018.

From the records, it is revealed that this petition of the petitioners is within the period of limitation and right to sue survive in favour of the legal representatives of appellant no. 7, hence the petition dated 07.05.2018 filed by the petitioner is liable to be allowed, hence allowed.

Let legal representatives of the appellant no. 7 , a. Sri Koushik Ch. Konar, b. Sri Sasadhar Konar, c. Sri Sudhamoy Konar, d. Minor Sri Akash Konar, e. Smt. Kabita Chowdhury, f. Smt. Purnima Santra, g. Smt. Sadhana Konar, h. Smt. Mousumi Ghosh and i. Smt. Beauty Samanta , be substituted.

Another petition dated 15.10.2020 filed on behalf of the legal representatives of the respondent no. 1 is taken up for passing order.

In the petition dated 15.10.2020 legal representative of respondent no. 1 have prayed for impleading them in this case as respondent no. 1 Amiya Layek was died on 21.08.2020.

From the records, it is revealed that this petition of the petitioners is within the period of limitation and right to sue survive in favour of the legal representatives of respondent no. 1 Amiya Layek , hence the petition dated 15.10.2020 filed by the petitioner is liable to be allowed, hence allowed.

Let legal representatives of the appellant no. 1, a. Sri Nilanjan Layek, b. Smt. Banga Laxmi Layek, c. Smt. Mithu Layek, d. Smt. Manju Layek, e. Smt. Tanusree Layek, f. Smt. Rumpa Layek, be substituted.

Bench Clerk -II is directed to give note of the same in the records.

Appellants are directed to file fresh memo of appeal incorporating the name of the substituted parties.

With above observation, petitions dated 07.05.2018, 15.10.2020 filed on behalf of petitioners are disposed of.

Fix 20.04.2022 for hearing of the petition dated 02.01.2017 under order 1 rule 10 (2) filed by appellants and petition dated 18.03.2021 filed by the petitioners.

Dictated & corrected
by me.

A.D.J

Additional District Judge,
Khatra, Dist.- Bankura
J.O. Code WB01399