

Ejectment Suit No. 35 of 2022
Present: Subhrajit Basu, Judge, Bench-IV
Jo Code: WB01238

Order No. 19

Date: 26.09.2024

Ld. Advocates for the plaintiffs and the sole defendant are present.

The application filed by the plaintiffs dated 03.08.2023 under Order 1 Rule 10 read with Section 151 of CPC is taken up for hearing.

Heard Ld. Advocates for both sides.

By this application, the plaintiffs have prayed for transposing the plaintiffs nos. 4, 5 and 6 to the category of proforma defendants in this suit on the ground that the defendant has not accepted them as their landlords since their names are not reflected in the rent receipts.

It is further submitted by the Ld. Advocate for the plaintiffs that plaintiff no. 3 is the mother of plaintiffs nos.4, 5 and 6.

Ld. Advocate for the defendant submits that necessary order may be passed by this Court in this regard at the risk of the plaintiffs.

This Court is of the view that the plaintiffs nos.4, 5 and 6 may be transposed to the category of proforma defendant at the risk of the plaintiff.

Accordingly, the application under Order 1 Rule 10 read with Section 151 of CPC is allowed.

Let the plaintiffs nos. 4, 5 and 6 be transposed as proforma defendants nos.2, 3 and 4 respectively.

To 06.11.2024 for filing of amended copy of plaint and taking steps by the plaintiffs for service upon proforma defendants nos 2, 3 and 4.

Copies of the pending applications, if any, made by the plaintiffs should also be served upon the proforma defendants nos. 2, 3 and 4.

D/C by me

Sd/-

Judge, Bench-IV
City Civil Court, Calcutta

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