

IN THE COURT OF DISTRICT JUDGE, DAKSHIN DINAJPUR AT BALURGHAT.

Present : Shri Manas Basu (JO Code WB00598)

Title Appeal No.13/2025

Reg. No.13 of 2025

CNR No.WBDD01-001665-2025

Order No.04

Dt.17.01.2026

Both sides file hazira.

Today is the date fixed for hearing of the petition filed by the appellant on 05-12-2025 with a prayer for substitution of the legal heirs of the defendant no.6 who has already been died.

Heard both sides.

Ld. Lawyer for the respondent no.1 submits that the petition filed from the side of the appellant has no value because the date of death of the defendant no.6 has not been stated in the petition.

On the contrary the Ld. Lawyer for the appellant submits that the substitution of the legal heirs of the defendant no.6 is very much required for conducting the case.

After considering the submission of both sides and after perusing the case record it appears that the appellant filed this petition on 05-12-2025 for insertion of the names of the legal heirs of the defendant no.6 who has already been died.

It is surprising enough that the date of death of defendant no.6 namely-Taimuddin Mondal has not been mentioned. So, how the Court will consider that the petition for substitution has been filed well within time or not. Moreso, the Ld. Lawyer for the other side i.e. respondent no.1 raised objection to that effect.

Considering the same I find no ground to allow the petition filed by the appellant on 05-12-2025. Thus, the petition is considered and rejected.

Fix **13-03-2026** for taking proper steps by the appellant.

Dictated & corrected by me.

*District Judge
Dakshin Dinajpur at Balurghat.*

*District Judge,
Dakshin Dinajpur at Balurghat.*