

Title Appeal No.23/2012

28

24-03-2017

Both parties file hajiras. Today is fixed for four petitions dated 05-11-2016 filed on behalf of the appellants.

Respondents filed a separate petition praying for time for filing W/O against two substitution petitions dated 05-11-2016 filed by the appellants. Heard, considered prayer for time is allowed.

Ld. Advocate for the appellants moved the petition U/o-6 Rule 17 C.P.C and submitted that the amendment is required for the purpose of correction of the address of respondent No.13 in the Memo of appeal. No objection is raised on behalf of the respondents.

Perused, considered.

The amendment sought for appears to be formal in nature.

Hence,

Ordered

that the amendment petition U/O-6 Rule 17 of CPC is allowed. Amend the Memo of appeal accordingly. No order as to cost. D.A to note accordingly.

Dictated & corrected by me

Judge

Additional District Judge, 1st Court,
Balurghat, Dakshin Dinajpur.

Later

24-03-2017

Now Ld. Advocate for the appellants moved the petition praying for an order to expunge the name of Respondent No.12 and submitted that during pendency of appeal the respondent No.12 Balo Hansda has died issue less without leaving any heirs and as such the said respondent No.12 be expunged from the Memo of appeal.

No objection is raised by Ld. Advocate for the respondents against the instant petition.

Perused, considered. There is no legal impediment to allow the prayer of the appellants.

Hence,

Ordered

that the prayer of the appellants to expunge the name of respondent No.12 is allowed. No order as to cost.

Expunged the name of respondent No.12 Balo Hansda from the Memo of appeal. D.A to note accordingly.

Fix 29-05-2016 for hearing of two substitution petitions dated 05-11-2016 filed by appellants and W/O if any on behalf of the respondents in the meantime

Dictated & corrected by me

Judge

Additional District Judge, 1st Court,
Balurghat, Dakshin Dinajpur.