

In the Court of Civil Judge (Jr. Divn.) Gangarampur at Buniadpur

Present: Debasish Barman

Civil Judge (Jr. Divn.)

J.O. Code: WB1104

O.C 04 of 2023, Regd. No.- 04 of 2023

CNR No. WBDD07-000034-2023

Order No.- 08

02-07-2024

Today is fixed for hearing of petition dated 03-01-2024 and cost by defendants.

Plaintiff and defendant Nos. 1 to 11 files hazira. Ld. Adv. of the said parties are present.

Plaintiff filed money receipt of Rs. 500/-. Let it be kept with the record.

On 03-01-2024 Ld. Adv. on behalf of the Petitioners filed a petition under Order 22 Rule 3 read with Section 151 of CPC along with a fresh vokalatnama.

Now the record is taken up for hearing of the said petition.

Ld. Lawyer for the Petitioners who submitted that the Plaintiff No.2 namely, Amija Bewa of the instant suit had died on 15-11-2023 leaving behind the petitioner as her legal heirs and they are willing to proceed with the suit and have filed the petition and hence prayed before this court to pass necessary orders.

Copy served to the other side. No objection has been raised by the Defendants.

Heard the Ld. Advocate and considered. Perused the petition and the necessary documents.

Considering the above facts and the said petition it transpires that the petition is filed as per the rules prescribed by the law. Also, it is reflected from the petition that it is necessary for proper adjudication of the suit. This is a partition suit.

Therefore, I am inclined to allow the prayer of the Petitioners at this stage. Hence, the prayer of the Petitioners to proceed the suit is considered and allowed.

Hence, it is,

ORDERED

that the petition under Or. 22 R. 3 CPC praying for substitution of the names the legal heirs of the deceased Plaintiff No.2 is hereby considered and allowed.

The names of persons as appears in the schedule of the petition is substituted as per the prayer of the petition.

Plaintiff to file amended plaint and steps upon defendant No.12.

Fix 28-11-2024 for filing amended plaint and SR of defendant No. 12.

D/C by me

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