

Present: Smt. Bristi Bardhan J.O. Code: WB01490

T.S. 208 of 2006

C.I.S. 846 of 2016

Order No. 104

12.11.2024

Today is fixed for steps by the Plaintiff as last chance.

Plaintiffs and Defendants no. 1, 2, 4-13 file hazira.

No step is taken by Defendants no. 14 & 15. Hence, the suit will proceed **Ex-parte** against **Defendants no. 14 & 15.**

No step is taken by the Plaintiffs.

On **21.01.2021**, Defendants no. 1, 2, 4-13 and 15 have filed an **Information Petition** stating that **Defendant no. 3, namely, Swapan Kumar Samanta** had expired on **15.11.2013** as can be derived from **Order no. 57 dated 12.11.2014.**

On perusing the record, this Court finds that the limitation period for filing substitution petition on behalf of the Plaintiff is 90 days as per **Article 120 of The Limitation Act, 1963.** It appears that Defendant no.3 had expired then,the limitation period of 90 days had **lapsed.** Thus, this suit is **ABATED.**

Hence, it is

ORDERED

Thus, the instant suit stands **ABATED** against **Defendant no.3** of this suit as per **Order 22 Rule 3** of CPC.

D/A is directed to note in the relevant register.

The suit will proceed against Defendants no. 1, 2, 4-13.

To **05.12.2024** for DW 1.

D & C by me,

Sd/-

Civil Judge (Jr. Divn),
Haldia, Purba Medinipur

Sd/-

Civil Judge (Jr. Divn),
Haldia, Purba Medinipur