

Title Appeal No. 14 of 2008.

Order No.96 dated 01-02-2019.

Appellant files hazira.

Today is fixed for hearing of two petitions dated 07-02-2018 which are taken up for hearing.

Heard Ld. Lawyer for appellant.

It is submitted on behalf of the appellant that appellant no.4 Jhareswar Panda by executing a registered deed dated 07-02-2016 transferred his Sabaity interest in favour of appellant nos. 1/Ka, 1/Kha & 1/Ga and Rashbehari Panda and Swapan Panda in equal share and on this facts and circumstances, he prays for an order of adding Swapan Panda and Rashbehari Panda as party as assignee. In support of this contention, xerox copy of said registered deed has also been submitted.

Appellant filed another petition praying for expunging the name of Jhareswar Panda from memo of appeal as presently after transfer of Sabaity interest, he has no interest in the property.

Both the petitions are taken into consideration.

Perused the xerox copy of the registered deed.

After transfer of Sabaity interest by Jhareswar Panda in favour of Rashbehari Panda and Swapan Panda, they are now necessary party in this case.

Hence, the petition under Order 1 Rule 10 CPC is considered and allowed.

Let the name of Rashbehari Panda and Swapan Panda be impleaded as appellant in the memo of appeal.

Since Jhareswar Panda has no interest in this case, his name be expunged from the memo of appeal.

Appellant is directed to file amended memo of appeal on next date fixed.

Fixing 17-04-2019 for filing amended memo of appeal.

Dictated & corrected by me,

Sd/-  
Addl. District Judge,  
2nd Court, Contai.

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Addl. District Judge,  
2nd Court, Contai.