

Title Appeal : 09 of 2017

Present : Nuruzzaman Ali,
Addl. District Judge,
Fast Track, 2nd Court, Contai.

Order no. 44

dated 29.09.2023

Ld. Advocate for the appellant as well as Ld. Advocate for the respondent No.01 file hajira.

To day is fixed for hearing petition dated 04.06.2022 and S/R of Respondent No. 6 (Jha).

No S/R of Respondent No. 6 (Jha) has yet been received.

Ld. Advocates for the respective parties are present.

The petition dated 04.06.2022 is taken up for hearing.

Perused the case record as well as the petition dated 04.06.2022 as made on behalf of the appellant.

Ld. Advocate for the appellant submits that the legal heirs of the deceased(Niyatibala Sahoo) appellant No.1(Ka) already on record as such the substitution petition has not necessary in this regard and the name of the deceased(Niyatibala Sahoo) appellant No.1(Ka) may be expunged from the Memo of the Appeal.

Ld. Advocate for the respondent has no objection in this regard.

Heard submission of both sides.

Considering all aspects of the petition dated 04.06.2022 is considered and allowed .

That the name of the deceased(Niyatibala Sahoo) appellant No.1(Ka) be expunged from the memo of the appeal.

Note in the cause title of memo as well the register.

Appellant is directed to file amended memo of appeal .

Fixing 07.12.2023 for filing amended memo of appeal by the appellant and S/R of Respondent No. 6 (Jha).

Additional District Judge,
Fast Track, 2nd Court, Contai.