

Money Execution Case No. 03 of 2020
CNR No. WBHW01-000421-2020
Present : Sri Plaban Mukherjee (J.O Code : WB01427)

Order No.21, Dated : 01-03-2025

Today is fixed for appearance of the Requiring Body / KMDA and hearing petition dated 06-05-2024.

Ld. Advocate for the Decree Holder prays for hearing of the 03 petition dated 06-05-2024 for inclusion of the names of the legal heirs of the Decree Holder no 2, namely Abdul Hai Laskar who died on 27-02-2024 and for inclusion of the names of the legal heirs of the Decree Holder no 6, namely Nurul Laskar who died on 06-04-2024 and inclusion of the names of the legal heirs of the Decree Holder no 7, namely Hakima Begum who died on 31-10-2020.

Ld. Advocate for the Decree Holder and Ld. G.P for the State, both are present today.

Now, the 03 petitions dated 06-05.2024 are taken up for hearing.

Ld. Advocate for the Decree Holder submitted that the original awardee no 2 namely Abdul Hai Laskar died on 27-02-2024, leaving behind his wife namely Sonowara Begum and two sons namely, Manowar Laskar , Sanowar Laskar and two daughters namely Hapija Mullick and Sapia Begum as only legal heirs and for the proper adjudication of this case, the Petitioners are required to be substituted as parties to this case. In support of his submission, Ld. Advocate has filed the photocopy of the death certificates of Late Abdul Hai Laskar, issued by Kolkata Municipal Corporation .

Ld. Advocate for the Decree Holder also submitted that the original awardee no 6 namely Nurul Laskar who died on 06-04-2024, leaving behind his wife namely Rehana Begum Laskar and two sons namely, Rehan Laskar , Nasib Laskar and one daughter namely Nuraksan Begum Sardar as only legal heirs and for the proper adjudication of this case, the Petitioners are required to be substituted as parties to this case. In support of his submission, Ld. Advocate has filed the photocopy of the death certificates of Late Nurul Laskar, issued by Thana Makua Gram Panchayat .

Ld. Advocate for the Decree Holder also submitted that the original awardee no namely Hakima Begum who died on 31-10-2020., leaving behind his two sons namely, Nizamuddin Haldar, and Kutubuddin Halder and three daughters namely Sanjida Begum, Sarika Brgum ,and Sabina Begum as only legal heirs and for the proper adjudication of this case, the Petitioners are required to be substituted as parties to this case. In support of his submission, Ld. Advocate has filed the photocopy of the death certificates of Late Hakima Begum, issued by Howrah Municipal Corporation .

Ld. G.P raised no objection.

Perused the case record. Considered.

On perusal of the case record, it appears that Abdul Hai Laskar, Nurul Laskar and Hakima Begum are the original Decree Holder no 2,6 and 7 respectively of this case. On perusal of the death certificates, standing in the name of Abdul Hai Laskar, Nurul Laskar and Hakima Begum Khan filed by the petitioners, it appears that the original Decree Holder Abdul Hai Laskar, Nurul Laskar and Hakima Begum died on 27-02-2024, 06-04-2024 and 31-10-2020 respectively .

Considering the above facts and circumstances of this case, I am of the view that the Petitioners should be substituted as parties to this case.

Hence, the 03 application dated 06-05-2024, filed by the petitioners, is hereby allowed on consent.

Thus the 03 petition is disposed of.

Ld. Advocate for the Decree Holder also prays for hearing of the another petition dated 06-05-2024 for expunging the name of Decree Holder No. 01 viz. Rizia Begum , wife of Late Md. Hafizuddin Laskar who died on 30-05-2021 leaving behind her legal heirs who are already on the record.

Ld. Advocate for the Decree Holder and Ld. G.P for the State, both are present.

Now, the petition dated 06-05-2024 is taken up for hearing.

Ld. Advocate for the Decree Holder submitted that Decree Holder No. 01 viz. Rizia Begum , wife of Late Md. Hafizuddin Laskar who died on 30-05-2021 leaving behind her legal heirs who are already on the record.. Ld. Advocate has filed the photocopy of the death certificates of Late Rizia Begum, issued by the Mashila Gram Panchayat which is kept with the record.

Ld. G.P raised no objection.

Perused the case record. Considered.

On perusal of the case record, it appears that Rizia Begum is one of the original Decree Holders of this case. On perusal of the death certificate, standing in the name of Rizia Begum, filed by the petitioners, it appears that Rizia Begum died on 30-05-2021.

Considering the above facts and circumstances of this case, I am of the view that the name of Rizia Begum should be expunged as party to this case.

Hence, the application dated 06-05-2024, filed by the petitioners, is hereby allowed on consent.

Thus the petition is disposed of.

L. A. Clerk is directed to do the needful.

Fix **03-07.2025** for filing the amended execution petition by the Decree Holder and for appearance of the Requiring Body / KMDA .

Dictated. & corrected by me :

Judge, L.A Tribunal, Howrah

Judge , L.A.Tribinal, Howrah