

Title Appeal No. 23 of 2025  
CNR No. WBHW01-000735-2025  
Present: Subhash Kumar Kar  
District Judge, Howrah  
J.O. Code – WB00592

Order No. 06 dated 02.02.2026.

Appellants file hazira.

The date is fixed for hearing of the petition under Order 22 Rule 4 read with Section 151 of the C.P.C.

Heard learned Advocate appearing for the appellants on the petition.

It is contended that the respondent no. 2 namely Achintya Kumar Bera expired on 02.12.2024 and it is claimed that it came to the knowledge of the appellants on 01.07.2025 from the returned envelop sent through speed post and it is prayed to grant leave to substitute the heirs of the deceased respondent no. 2 named in the schedule of the petition.

On perusal of the record it appears that the postal envelop was returned with the endorsement 'deceased' in respect of the respondent no. 2 as it appears from the order dated 24.04.2025 and ever if it is assumed that the appellants got knowledge on the said date, the said petition is filed within the stipulated period as prescribed in the law of limitation and I do not find any impediment in allowing the petition and it is,

**Ordered**

that the petition under Order 22 Rule 4 read with Section 151 of the C.P.C. is allowed and the leave is granted to the appellants to substitute the deceased respondent no. 2 namely, Achintya Kumar Bera by his heirs and successors named in the schedule of the petition as respondent no. 2 series.

The appellants to file amended memo of appeal by the next date.

Fix 10.03.2026 for steps upon the substituted respondents.

Dictated & corrected by me.

D. J.

District Judge, Howrah.