

Probate Suit No.12/16.

Order no.54 dt.03.06.25.

Both the petitioner and OP no.d file hazira.

Petitioner files one amended copy of petition under order 1 rule 10 (2) of CPC.

Copy is served and objection raised.

Today is fixed for hearing of petition u/o 1 rule 10(2) of CPC.

Petition is taken up for hearing.

Heard both sides.

Perused the petition. Considered.

Petitioner wants to strike out the name of defendant no.d(1) Sandhya Seth from the instant suit as said Sandhya Seth has died on 01.01.24 and her only legal heir Pratik Seth is already on record as defendant no.b(ii) in this case. Since the legal heir is already on record, there is no need of substitution to bring the legal heirs on record. As such present prayer for striking out the name of Sandhya Seth is justified and the same is fit to be allowed. As such petition u/o 1 rule 10(2) of CPC is allowed. Let the name of Sandhya Seth strike out from the plaint.

Petitioner is directed to file amended copy of plaint on the next date.

Fix 21.7.25 for filing amended copy of plaint and for further cross of PW1.

Additional District Judge,
2nd Court, Howrah.