

Misc Appeal 72 of 2024

Order No.13 dt.23.6.25.

Appellant files hazira. Respondent also files hazira.

Ld Advocate for the appellant not pressed the substitution petition filed on 18.6.25 by putting endorsement on the petition itself.

Ld Advocate for the appellant also files another petition u/s 24 rule 4 of CPC read with section 151 of CPC praying for substitution of the legal heirs of respondent no.1 Ram Chandra Shaw who died on 11.4.25 as per the report submitted by Ld Advocate for the respondent no.1 Ram Chandra Shaw.

Copy is served and objection raised.

Petition is taken up for hearing.

Heard both sides.

Perused the petition.

It appears that on 06.5.25 Ld Advocate for the respondent no.1 submitted one information to this court that respondent no.1 Ram Chandra Shaw has died on 11.4.25. Instant petition for substitution is filed within the stipulated time and is not barred by limitation. According to the petition, respondent no.1 died leaving behind his two sons and one daughter whose names are required to be incorporated by substitution in place of respondent no.1 Ram Ch Shaw as respondent no.1(a) to respondent no.1(c). I do not find anything to reject the petition which is within time and in proper form. Accordingly, petition u/o 22 rule 4 of CPC read with section 151 of CPC is considered and allowed.

Let the legal heirs of respondent no.1 be substituted as per the schedule of the petition as respondent no.1(a) to respondent 1(c).

Appellant is directed to take steps accordingly.

To 11.08.25 for taking step.

Addl. District Judge,
2nd Court, Howrah.