

TITLE APPEAL 135 of 2022

Order no 25 dated 05-6-2026

Today is fixed for steps by the appellant.

Ld Advocate for the appellant has filed a petition seeking an adjournment on the ground as mentioned therein. Ld Advocate for the respondents 1, 3 and 6 to 8 are present. Heard.

On perusal of the record, it appears that the instant appeal has been filed by the two appellants against 23 respondents. Out of such 23 respondents, the respondents 6 to 8 and 11 to 13 had appeared (as per order dated 17-12-2022). The respondent no 1 had also appeared (as per order dated 14-12-2022). It also appears that the respondents 4 and 5 has died. The notice of appeal was received by the respondents 9,10,14,16 to 23 after service but none appeared. Hence the appeal shall be heard exparte against them. The notice addressed to the respondent no 15 was returned with the endorsement ‘ expired’ and thereafter the heirs of the respondent were added as respondents 15a to 15 c. Therefore, the respondents and their present fate in the instant appeal can be enumerated as follows:

Respondent no	Respondent name	Notice served/exparte	served/not
1	Yadunath Taki	Appeared	
2	Astapada Taki	DEAD	
3	Kajal Bose (Bag)	appeared	
4	Aapa Das	DEAD	
5	Mantu Das	DEAD	
6	Meghnath Taki	appeared	
7	Prabhat Taki	appeared	
8	Subhash Taki	appeared	
9	Prakash Taki	exparte	
10	Premnath Taki	exparte	
11	Sabita Panja	appeared	
12	Bharati Mondol	appeared	
13	Chhaya Dhara	appeared	
14	Tapati Kole	exparte	
15	Tapan Kumar Taki	DEAD	
Substituted by			
15a) Smt Bela Taki			
15b) Soumitra Taki			
15c) Sudipta Taki			
16	Tarak Taki	exparte	
17	Uttam Taki	exparte	
18	Chandra Nath Taki	exparte	
19	Utpala Badhak	exparte	
20	Tapasi Bera	exparte	
21	Sandha Das	exparte	
22	Shyamali Polley	exparte	
23	Pratima Mondol	exparte	

It appears that the heirs of the deceased respondent no 15 has been brought on record. An application under order 1 rule 10(2) CPC read with section 151 CPC was also filed on 27-3-2026 seeking to add the legal representatives of the deceased respondent no 2, 4 and 5 but such has not been disposed off. To 21.08.26 for hearing the application dated 27-3-2026 and steps upon the respondent 15a to 15c.

Additional District Judge
2nd Court,Howrah
In-Charge

