

Title Suit 126 of 2022

Order No. 21 dated: 21.01.2026

Today is fixed for commission report.

Plaintiff NO. 2 filed hazira.

Defendant filed hazira.

The legal heirs of the deceased sole plaintiff filed one petition under Order 22 Rule 3 of CPC dated 21.01.2026 along with the fresh power which is taken up for hearing.

Heard learned advocate for the applicants who submitted that the sole plaintiff Basudeb Ghosh died on 26.10.2025 leaving behind his wife, one son and five daughters as his legal heirs and successors. Learned advocate prayed for substituting the aforesaid legal heirs of the plaintiff in place of the deceased plaintiff.

On perusal of the instant petition and the materials available on record it is found out that the sole plaintiff Basudeb Ghosh died on 26.10.2025 and the instant petition was filed on 21.01.2026. This Court is of the opinion that the instant petition has been filed within the limitation period. So this Court finds no impediment in allowing this petition.

Hence, it is

Ordered

that the instant petition under Order 22 Rule 3 of CPC is considered and allowed and disposed of on contest. Let the aforesaid legal heirs of the deceased plaintiff, be substituted in his place as substituted plaintiffs.

Ld. Advocate for the applicant is directed to file an amended plaint.

BC-I to make necessary note in the cause title of the plaint.

Fixing **17.03.2026** for filing of amended cause title of the plaint by incorporating the name of the legal heirs of sole plaintiff and for Commission Report.

D/c & by me

CJ

**Civil Judge (Jr Divn)
Amta, Howrah**