

Title Suit 37/ 2003 (CIS - 37 /2003)  
CNR No. - WBHW07 000 019 of 2003

Order No. 44 dated 06.08.2022

Today is fixed for hearing the application u/O 22 Rule 3 C.P.C. filed by the petitioner on 23.08.2021. The said petitioner is the legal heir of deceased plaintiff No. 2 Tarapada Chattapadhay.

Both parties are present.

The instant application is accordingly taken up for hearing.

Heard the Ld. Advocate of the parties.

Perused the instant application.

Considered.

It is revealed from the instant application that Plaintiff No. 2 Tarapada Chattapadhay expired on 19.04.2021 leaving behind the petitioner as his legal heir. From the instant petition it is apparent that the present petition has not been filed within the statutory period. However, it is within the judicial notice of this Court that the period of limitation in respect of all cases was suo motu extended by the Hon'ble Supreme Court due to outbreak of Covid - 19. Therefore, there is no impediment in allowing the instant application. Accordingly, the instant petition is hereby allowed on contest. Let the name of the deceased plaintiff 2 Tarapada Chattapadhay be struck out from the cause title of the plaint and the name of petitioner Samir Chattapadhay be substituted therein.

*Plaintiffs are directed to file amended plaint after making the aforesaid modification to the cause title.*

To 30.09.2022 for filing amended plaint by the plaintiffs.

D/C by me

C. J. (Jr. Divn.)  
Amta, Howrah  
(JO Code WB 01195)

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