

Title Suit – 116 / 2005 (C.I.S. 32 / 2016)
(C.N.R. WBHW07- 000 -)

Order No. 166 dated 17.11.2022

Today is fixed for hearing the application U/o 22 R 4 C.P.C. filed by the plaintiffs on 26.08.2020.

Plaintiffs are present.

The instant application is taken up for hearing.

Heard the Ld. Advocate of the plaintiffs.

Perused the instant application.

Considered.

It is revealed from the instant application that the sole defendant Arup Kr. Dutta expired on 02.06.2020 leaving behind the persons mentioned in the schedule of instant application as his legal heirs. From the instant application it is apparent that the present petition has been filed within the statutory period. Therefore, there is no impediment in allowing the same. Accordingly, the instant petition is hereby allowed. Let the name of the deceased defendant be struck out from the cause title of the plaint and the names of his legal heirs namely Kakali Dutta, Susaban Dutta & Juli Dutta be substituted therein.

Plaintiffs are directed to file amended plaint after making the aforesaid modification to the cause title. Plaintiffs are further directed to take necessary steps regarding the substituted defendants.

To 17.02.2023 for steps by the plaintiffs regarding the substituted defendants and filing amended plaint.

D/C by me

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

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