

Title Suit 57/ 2019 (CIS - 57/ 2019)  
(CNR No. - WBHW07 000 055 of 2019)

Order No. 23 dated 04-03-2023

Today is fixed for hearing the application under Order 22 Rule 4 C.P.C. filed by the plaintiffs on 05.09.2022.

Both parties are present.

An application duly supported by affidavit is filed by the plaintiff for further extension of the ad interim order of injunction.

Considered.

In the interest of justice, the ad interim order of injunction is hereby extended till next date.

Now the instant application is taken up for consideration.

Heard the Ld. Advocates of the parties.

Perused the instant application.

Considered.

It is revealed from the instant application that the defendant No.3 Nema Chandra Bera expired on 29.08.2022 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 on contest. Let the name of the deceased defendant No. 3 Nema Chandra Bera be struck out from the cause title of the plaint and the names of his legal heirs namely Bijali Bera and Sourav Bera 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 15.06.2023 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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