

Order No. 09 dated 20.01.2025.

Today is fixed for hearing for the application under Order 22 Rule 4 C.P.C, WO and WS by the OP No. 1.

Plaintiff filed hazira along with a petition for extension of ad interim order of injunction.

OP No. 1 filed hazira along with an adjournment petition which is allowed on the ground stated herein.

The petition under Order 22 Rule 4 C.P.C. is taken up for hearing.

Heard learned advocate for the plaintiff who submitted that the OP NO. 2 Sirajul Haque Mondal @ Sk. Sirajul died on 10.12.2024 leaving behind his wife, four sons and one daughter as his legal heirs and successors. Learned advocate prayed for substituting the aforesaid legal heirs of the OP No. 2 in place of the deceased OP.

Ld. Advocate for the OP No. 1 raise no objection.

On perusal of the instant petition and the materials available on record it is found out that the OP NO. 2 Sirajul Haque Mondal @ Sk. Sirajul died on 10.12.2024 and the instant petition was filed on 15.01.2025. 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 4 of CPC is considered and allowed and disposed of on contest. Let the aforesaid legal heirs of the deceased OP NO. 2, be substituted in his place as substituted OP No. 2 mentioned in the schedule of the petition.

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

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

Fixing 26.03.2025 for filing of amended cause title of the plaint by incorporating the name of the legal heirs of deceased OP No. 2 and taking steps on all the substituted OPs who were substituted in the case till date. Filing of WO and WS by OP NO. 1 positively. Ad interim is extended till date.

D/c & by me

CJ

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