

T.S – 70/ 2017 (C.I.S. - 81/ 2017)
(C.N.R. WBHW07-000 -)

Order No. 42 dated 21.05.2022

Today is fixed for hearing of the two separate applications u/O 22 R 4 CPC filed by the plaintiffs on 20.09.2021 and 06.04.2022.

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 applications that the defendant No.2 Bulu @ Radhakishor Das expired on 31.08.2021 while defendant No.1 namely Radharaman Das expired on 22.01.2022 leaving behind the persons mentioned in the schedule of instant applications as their respective legal heirs. From the instant application it is apparent that the instant petitions have been filed within the statutory period. Therefore, there is no impediment in allowing the same. Accordingly, the instant petitions are hereby allowed. Let the names of the deceased defendant Nos. 1 & 2 be struck out from the cause title of the plaint and the names of their respective legal heirs as mentioned in the schedule of the instant applications be substituted therein.

The plaintiffs are directed to take necessary steps regarding the substituted defendants. The plaintiffs are further directed to file amended plaint after incorporating the names and particulars of the substituted defendants therein.

To 16.09.2022 for steps by the plaintiffs regarding the substituted defendants as well as filing amended plaint.

D/C by me

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

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