

Misc Appeal 15/2018
Present: Smt. Papiya Das (J.O.No. WB00736)
Addl. District & Sessions Judge,
Alipurduar.

Order No.24
dt.13.07.23.

Today is fixed for hearing as last chance.

Both the Appellants as well as the Respondent file their respective lawyer's hazira.

Ld. Lawyer for the Appellants as well as the Respondent are present.

The record is taken up for hearing.

At this stage, Ld. Advocate for the Respondent submits that Respondent No.4 Majida Bibi died on 19.05.20. He further submits that he has informed this Court about death of Respondent No.4 on 11.01.21 by filing a petition, but no substitution is made till date.

Ld. Advocate for the Appellants submits that he is unaware of the fact that Respondent No.4 died and today for the first time he came to know about the fact. He thus prays time for taking necessary steps upon the legal heirs of Respondent No.4 by way of substitution.

After perusing the record, it transpires to me that Ld. Advocate for the Respondent duly informed this Court about death of Respondent No.4 Majida Bibi, but due to inadvertence the same was not intimated to the Ld. Advocate for the Appellant for which no substitution is made till date. For this reason hearing could not be conducted today.

Case is adjourned today.

Appellant is directed to take necessary steps upon the legal heirs of Respondent No.4 Majida Bibi.

To 10.08.23 for taking necessary steps by the Appellant.

D/corrected by me

Addl. District Judge,
Alipurduar.

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