

Misc Appeal No.08 of 2025
CNR:-WBJP01-001642-2025

Order No- 16
Dated- 07.08.2026

Today is fixed for hearing of application for vacating ex-parte ad-interim order of stay and application filed under Order 41 Rule 3 read with Order 43 Rule 2 and section 151 of the C.P.C. filed on behalf of the Respondent No.2 and for taking steps by the appellant on the death of Respondent No.1.

Appellant files hazira through Ld. Lawyer.

Respondent No.2, 3 & 4 file haziras through Ld. Lawyer.

Requisites is filed in respect of service of summons for respondent No.5.

Same be issued forthwith.

Ld. Advocate for the appellant submitted that he has taken steps for substitution by filing a Misc Case u/o-22 R-4 and U/o-22 R-9 & section 5 of Limitation Act.

Appellant files a petition supported with an affidavit praying for extension of stay order.

Perused the record. Considered. Prayer is allowed.

Stay order is extended till next date.

Fix: 19.08.2026 for SR/AD in respect of Respondent No.5, hearing of application for vacating ex-parte ad-interim order of stay and application filed under Order 41 Rule 3 read with Order 43 Rule 2 and section 151 of the C.P.C. filed on behalf of the Respondent No.2 and for taking steps by the appellant on the death of Respondent No.1.

D/C

District Judge,
Jalpaiguri

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