

Order No. 65

Dated: 7.9.2022

Claimant files hajira.

No steps taken by the OP.

It appears from the record that the owner was contesting this case .This day is fixed for hearing the petn dt 21.07.2016 filed by the claimant u/O 1 R. 10 read with section 151 CPC.

The claimant claims that the owner /OP contesting the case died on 30.08.2015 leaving behind his wife, five sons as legal heirs. He has prayed to substitute the name of the deceased/ OP with that of his wife and five sons as mentioned in the said petition.

In course of hearing, the claimant has submitted that the substantial portion of evidence has been recorded till the contesting OP Ram Roy died. He has procured the name of the legal heirs after much difficulties and he prays for substitution of their names at his own risk. He has further submitted that on the death of the OP the right to sue survives.

Considering the submission of the Ld. lawyer for the claimant the prayer is allowed at own risk of the claimant.

Substitute the names of the persons as mentioned in the said petition in place of the contesting OP/owner.

Claimant to file requisites.

Fix 17.12.2022 for filing requisites.

D/C by me,

Adj, 4th Court

Addl.Sessions Judge,

4th Court,Berhampore, Murshidabad