

Order no.30

Dt.15.02.18

Hazira is filed on behalf of the Plaintiff.

A petition is filed on behalf of the Defendant praying for further time for filing W.S on the ground stated therein.

The petition filed u/o.22 rule 3 CPC and u/o.22 rule 4 CPC dt. 23.11.17 and the petition filed u/o.22 rule 4 CPC dt.16.09.17 are taken up for hearing.

Heard Ld. Advocates for both sides.

Perused the said petition wherein it has been stated that the Plaintiff no.6 Apel Sk died on 09.10.17 leaving behind the Petitioners as his legal heirs and successors and a prayer has been made for impleading the Petitioners in place of the Plaintiff no.6 by way of substitution.

After taking into consideration the above aspects and that this is a suit for partition, the instant petition u/o.22 rule 3 CPC is hereby allowed for ends of justice and disposed of. Let the Petitioners be substituted in place of the deceased Plaintiff no.6 as Plaintiff no.6 ka to 6 ga. Amend the cause title of the plaint and note the same in the relevant registers. **D.A to do the needful at once.**

The petition filed u/o.22 rule 4 CPC dt.16.09.17 is taken up for consideration.

Perused the above petition. It has been stated therein that the Defendant no.3 died on 11.02.17 leaving behind his sons, daughter and wife as legal heirs and successors and the Plaintiffs intend to bring the said legal heirs and successors in place of the deceased Defendant no.3 by way of substitution.

After taking into consideration the above aspects and that this is a suit for partition, the Plaintiffs' petition u/o.22 rule 4 CPC is hereby allowed for ends of justice and disposed of. Let the legal heirs and successors of the deceased Defendant no.3 be substituted in his place as Defendant no.3 ka to 3 yian. **Amend the cause title of the plaint and note the same in the relevant registers. D.A to do the needful at once**

Now the petition u/o 22 rule 4 CPC filed on 23.11.17 is taken up for consideration. Perused the above petition. It has been stated therein that the Defendant no.3 ka has died on 10.11.17 leaving behind her sons and daughters as legal heirs and successors who are already on record and impleaded in this suit as Defendant no.3 Kha to 3 yian. **Let the matter be noted in the cause title of the plaint and the relevant registers. D.A to do the needful at once.**

To 19.09.18 for further hearing of temporary injunction petition.

Parties to take necessary steps.

Dictated & Corrected by me.

CJ(Sr. Divn.), Lalbagh, Msd.

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