

EJECTMENT SUIT NO. :- 22 of 2018
(CNR No. WBPS01-001081-2018)
(JO CODE No. WB01165)

Before Smt. P. Shukla, Ld. Judge, 2nd Bench.

Order no. - 56
Dt. 12.02.2025

Today is fixed for hearing petition under Order-22, Rule-2 of CPC.

Both parties filed hazira.

Heard the Ld. Advocate for the plaintiff who submitted that defendant no. 1 Sova Dey died on 13.01.2024 leaving behind defendant no. 2 and her only legal heir and representative. Thus he prays to expunge and strike out the name of the deceased defendant no. 1 from the cause title of the plaintiff.

Ld. Advocate for the defendant raised strong objection.

Heard.

Perused the petition and other materials on record.

Considered.

It appears that the original plaint was filed against two defendants. Defendant no. 2 being the legal heir of deceased defendant no. 1 is already on the record and thus there is no impediment to allow the instant petition.

Hence, it is,

ORDERED,

That the application u/O-22, Rule-2 of CPC r/w Section 151 of CPC filed by the plaintiff is allowed on contest.

Let the name of deceased defendant no.1 be expunged from the cause title of the plaint.

Fixing 07.04.2025 for filing amended cause title of the plaint by the plaintiff, and peremptory hearing of the suit.

D/C by me.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.