

Ejectment Suit 82 of 2022.
[CNR No. WBPS01 000122-2022]
Before - Ashutosh Kumar Singh- Ld. Chief Judge.

Order No:-20.
03/03/2025.

Today is fixed for taking steps by the plaintiff upon defendant no-1 along with hearing of petition u/s 7(2) of W.B.P T Act filed by the defendant no-2, w/o if any in the mean time and consideration of acceptance of Written Statement filed by defendant no-2 on 25/01/2023 together with hearing of petition u/s 151 of C.P Code dated 08/08/2024 filed by the defendant no-2 praying for acceptance of W/S and also for consideration of petition u/s 151 of C.P Code filed by the plaintiff dt 23-09-2024.

Plaintiff files hazira.

Defendant no-2 files hazira.

Ld. Advocate for the defendant no-2 also files a type-written sheet mentioning therein the legal heirs of of defendant no-1 Bechu Ram. Copy served.

Parties are present on call.

The matter is taken up for hearing.

Heard both sides.

It appears from the death report filed by Ld. Advocate for the defendant no-2 on 09/11/2022 which is available in the case record that therein the death of defendant no-1 has been mentioned as "00/12/2000" whereas in the type-written sheet filed by Ld. Advocate for defendant no-2 , it has been mentioned that the defendant no-1 died on " 14/02/2008".

Therefore, this Court finds that a clarification is required from the side of defendant no-2 about the actual date of death of defendant no-1.

At this stage, Ld. Advocate for defendant no-2 submitted that he shall file an affidavit on the next occasion informing the actual date of death of defendant no-1 along with his legal heirs and successors and prayed for adjournment of the matter for this stay by filing a petition for adjournment.

Copy served.

Ld. Advocate for the plaintiff raised no objection.

Accordingly, prayer is considered and allowed.

Fix (07/04/2025) for filing affidavit by defendant no-2 regarding the actual date of death of defendant no-1 and taking steps by the plaintiff upon defendant no-1 along with hearing of petition u/s 7(2) of W.B.P T Act filed by the defendant no-2, w/o if any in the mean time and consideration of acceptance of Written Statement filed by defendant no-2 on 25/01/2023 together with hearing of petition u/s 151 of C.P Code dated 08/08/2024 filed by the defendant no-2 praying for acceptance of W/S and also for consideration of petition u/s 151 of C.P Code filed by the plaintiff dt 23-09-2024.

Chief Judge.

J.O .Code:- WB 01244.