

Ejectment Suit 101 of 2025.

[CNR WBPS01 000 0239 2025]

Before - Smt Jayashree Banerjee - Ld. Chief Judge.

05.

12-08-2025.

Today is fixed for taking steps by the plaintiff and hearing of a petition u/s 7(2) of W.B.P T Act filed by defendant no-1, w/o if any in the mean time and ex-parte hearing against defendant no 2,3 & 5 to 7 with direction upon the defendant no-1 to file Written Statement within the prescribed period of limitation.

Parties file haziras.

Defendant no-1 files Written Statement. Copy served.

Defendant no-1 also files photocopies of Court deposit challans as per list.

Defendant no-1 files a petition praying adjournment of hearing of the petition u/s 7(2) of W.B.P T Act on the ground stated therein.

Plaintiffs file a petition praying for expunging the name of defendant no-4 from the record on the ground stated therein. Copy served.

Parties are present on call.

The petition filed by the plaintiff today is taken up for hearing.

Ld. Advocate for the plaintiffs submitted that defendant no-4 is dead and his legal heirs are already on record. As such, by filing the instant application, the plaintiffs are praying for expunging the name of defendant no-04 from the case record.

Heard Ld. Advocate for the plaintiffs.

Perused the petition and materials on record .

It appears from order dated 21-06-2025 that as per bailiff report and postal report, process returned upon defendant no-4 with endorsement that defendant no-4 is dead. It is further contention of the plaintiffs that the legal representatives of the defendant no-4 is already on record. The petition is also supported by the affidavit of plaintiff no-1.

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Therefore, this Court finds that the prayer of the plaintiffs may be allowed at their own risk.

Accordingly,

it is

Ordered

that the petition filed by the plaintiffs dated DeJaVu Serif12/08/2025 is hereby allowed.

Let the name of deceased defendant no-4 be deleted from the Cause Title of the plaintiff. Amend the plaint accordingly. Note the same in register as well as in C.I Systems.

The hearing of application u/s 7(2) of W.B.P T Act filed by the defendant no-1 is adjourned today as per prayer of the defendant.

Written Statement filed by the defendant no-1 today is accepted.

Fix (**08-09-2025**) for hearing of application u/s 7(2) of W.B.P T Act filed by the defendant no-1 dt 16/06/25. w/o if any in the mean time.

Dictated & corrected

by me :-

Chief Judge.

J.O .Code:- WB 01049.