

**EJECTMENT-C SUIT NO. 187 of 2004 (364 of 2014)**  
**C.N.R No. WBPS01-000310-2004**

**IN THE 4TH BENCH, PRESIDENCY SMALL CAUSE COURT**  
**PRESENT: SMT. ARCHITA SEN, JUDGE BENCH-4, PRESIDENCY**  
**SMALL CAUSE COURT.**

**ORDER NO- 104**  
**DATED 24-07-2024:**

Today is fixed for further cross examination of PW-1. Plaintiffs file attendance through their Ld. Advocate. They have also filed a petition under Order XXII Rule 4 of the C.P.C with a prayer for substitution of the name of the sole defendant.

The record is taken up for hearing of petition under Order XXII Rule 4 of the C.P.C filed by the plaintiffs today.

Heard for the plaintiffs in full.

Perused the record. Considered.

Perusal of the case record reveals that the petition contemplates the substitution of the name of the deceased defendant who expired on 27.06.2024 by the legal heirs as named in the petition.

The petition is well within the period of limitation. For that the petition is required to be allowed.

For that, it is

**ORDERED**

That let the name of the deceased sole defendant be substituted by the names of his legal heirs as named in the petition dated 24.07.2024 by making necessary corrections in the cause title of the plaint.

Let the petition dated 24.07.2024 be treated as a part of the plaint.

D.A. to do necessary corrections and insertions.

Note in the suit register and relevant register.

The plaintiffs are directed to file amended cause title of the plaint, as it would stand after the amendment, within 30 days hereof, failing which necessary orders will be passed. The plaintiffs are also directed to put requisite for serving of summons on the newly substituted defendants.

The petition under order XXII Rule-4 CPC dated 24.07.2024 is thus disposed of without contest and costs.

To 22.08.2024 for S/R in respect of substituted defendants. Steps by the plaintiffs in terms with the order in the mean time.

Typed, Corrected and Printed by me.

Judge, Bench-4  
Presidency Small Cause Court.  
J.O Code WB01174

Judge, Bench-4  
Presidency Small Cause Court  
J.O Code WB01174

**LATER**  
**ORDER NO.105**  
**DATED 24.07.2024**

The plaintiffs file requisite of summons.

Let the same be issued.

To date for S/R and steps by the plaintiffs.

Typed, Corrected and Printed by me.

Judge, Bench-4  
Presidency Small Cause Court.  
J.O Code WB01174

Judge, Bench-4  
Presidency Small Cause Court  
J.O Code WB01174