EJECTMENT SUIT NO. 371 of 2015
C.N.R No. WBPS01-000921-2015

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

ORDER NO- 59
DATED 03-12-2024:

Today is fixed for hearing of the petition dated 29.07.2024 under Order XXII Rule 4 of the C.P.C. Plaintiff files attendance through its Ld. Advocate.

The record is taken up for hearing of petition dated 29.07.2024 under Order XXII Rule 4 of the C.P.C filed by the plaintiff.

Heard for the plaintiff in full. Perused the record.

Considered.

Perusal of the case record reveals that the petition contemplates the substitution of the name of the sole deceased defendant who expired on 18.07.2024 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

O R D E R E D

That let the name of the deceased sole defendant be substituted by the names of his legal heirs as named in the petition dated 29.07.2024 by making necessary corrections in the cause title of the plaint.

Let the petition dated 29.07.2024 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 plaintiff is 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 plaintiff is also directed to put requisite for serving of summons on the newly substituted defendant.

The petition under order XXII Rule-4 CPC dated 29.07.2024 is thus disposed of without contest and costs.

To 29.01.2025 for S/R in respect of substituted defendant.
Steps by the plaintiff 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

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