

EJECTMENT SUIT NO. :- 153 OF 2020
(CNR No. WBPS01-000264-2020)
(JO CODE No. WB01229)

Order No. - 14
Dt. 24.02.2022

Today is fixed for steps by the plaintiffs and filing death certificate by the defendant.

Ld. Advocate for the plaintiffs file a petition under Order 22 Rule 3 read with Section 151 of CPC dated 24.02.2022.

Plaintiffs file hazira.

Heard the Ld. Advocate for both the parties.

Considered.

Perused the instant petition and other materials on record.

On perusal, I find that the original defendant namely Abdul Hafeez has been died on 11.12.2021 leaving behind his widow namely Naimun Nessa as his only legal heir and successor and the plaintiffs want to incorporate the legal heir of the deceased defendant as party in this suit in place of deceased defendant. It also appears that the instant petition filed today is within the prescribed period of limitation.

In the circumstances, I have no hesitation to allow the present petition filed by the plaintiffs.

Hence, it is

ORDERED

that the instant petition under Order 22 Rule 3 read with Section 151 of CPC dated 24.02.2022 filed by the plaintiffs is hereby allowed on contest.

Let the name of the legal heir of the deceased defendant be substituted in place of the deceased defendant.

D/A is directed to incorporate the name of legal heir of the deceased defendant on the cause title of the plaint.

To **27.04.2022** for steps upon the substituted defendant.

D/C by me.

Sd/-

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