

EJECTMENT SUIT NO. 375 OF 2017
C. N. R. NO. WBPS01-000989-2017
Before Smt. Leena Sharma, Ld. Judge, 5th Bench.

ORDER NO. 25 DATED 06.03.2021

Today is fixed for hearing of the petition under Or.22 R.3 of C.P.C.

Both parties filed their respective haziras.

Ld. Advocates for both sides are present.

Heard Ld. Advocates for both sides.

Perused the record and the petition filed by plaintiff dated 20.03.2019 under Order 22 Rule 3 of C.P.C. for adding legal heirs of deceased plaintiff No. 1 namely Saraswati Dutta as necessary parties in the present suit.

Perused the record.

Ld. Advocate for the plaintiffs prayed to allow the petition for proper adjudication of the suit. One fresh Vokatnama is also filed on behalf of the petitioners.

Ld. Advocate for the defendant raised no objection regarding instant petition of plaintiff.

Considering the submission of both sides, the petition, photocopy of the death certificate and the record, the Court finds that the instant petition may be necessary in order to adjudicate the suit and settled the question involve in the suit property.

Accordingly, the plaintiff is allowed to make the legal heirs of deceased Plaintiff No.1 as partis to the suit as mentioned in the instant petition. Plaintiff is further allowed to substitute legal heirs of plaintiff No.1 in the suit as mentioned in the instant petition.

Hence the instant two petitionS dated 20.03.2019 is allowed.

Plaintiffs are directed to file amended copy of plaint accordingly.

Fix **23.03.2021** for filing amended copy of plaint.

Dictated and corrected by me,

JUDGE

JUDGE
[5TH BENCH]
J.O. Code No. WB01006.