

Ej 478/2015
(WBPS01-001222-2015)

Before: Sri Manabendra Nath Ghosh, Ld. Judge, 2nd Bench

Order No 50
17-01-2024

Today is fixed for hearing of the petition u/o 22 rule 3 CPC dated 12.12.2023.

Both sides files hazira.

Both the advocates are present.

The petition u/o 22 rule 3 CPC dated 12.12.2023 is taken up for hearing.

Defendants file no written objection, but raise objection verbally.

Heard both sides.

Considered.

It transpires that by filing the petition the plaintiffs have prayed to substitute the legal heirs of deceased plaintiff no 1 Madhab Chandra Das, who died on 24.11.2023, which is evident from the photocopy of death certificate filed by plaintiffs.

Perused the case record.

On careful scrutiny of the case record, it appears to me that the petition for substitution has been filed within statutory period and hence I am inclined to allow the prayer of the plaintiffs.

Thus the petition u/o 22 rule 3 CPC dated 12.12.2023 filed by the plaintiffs is hereby allowed.

Let the legal heirs of deceased plaintiff, as mentioned in the petition, be substituted in his place.

To 22-03-2024 for filing amended copy of plaint.

Sd/-

D/C by me
Judge-in-charge

Sd/-

Judge-in-charge
4th Bench, WB 01229