

T.A. No. 35/2019

Order No. 43

14.05.2026

Both parties file separate hazira through their Ld. Lawyer.

The record is taken up for hearing the petition dated 24.04.2024 under Order 22 Rule 3 read with Section 151 C.P.C.

The Ld. Advocate for the petitioners submits before the court that the original appellant has preferred the instant appeal against the judgment dated 13.03.2019 passed by the Ld. Civil Judge, (Jr. Division), Additional Court, Purulia in T.S No. 10 of 2009. It is further submitted that during pendency of the instant appeal the Appellant No. 1 Kamala Kalyan passed away on 25.01.2024. It is further submitted that that Sushana Kujur (since deceased) was full sister of the Appellant No.1 and the present petitioner is the married daughter of Sushana Kujur and the petitioner herein as her legal successor as well as legal Representative of the Appellant No. 1. Therefore, under the above circumstances, Ld. Advocate for the petitioner prays for substituting the petitioner herein in place of the deceased appellant no. 1 of this appeal.

Heard. Considered.

Perused the case record and the instant petition.

Considering all, the prayer of the petitioner is allowed with cost of Rs. 1000/- to the Ld. Secretary, D.L.S.A, Purulia

Let the name of petitioner be substituted in place of deceased Appellant No. 1 Kamala Kalyan.

The substituted appellant is directed to file amended Memo of Appeal.

The instant application under Order 22 Rule 3 read with Section 151 CPC is thus disposed of.

Let the case record be transferred to the Court of Civil Judge (Sr. Division), Additional Court, Purulia for disposal.

Fix 18.06.2026 for filing amended memo of appeal.

Both parties are directed to appear before the transferee court on date fixed.

Let a copy of this order be sent to the Ld. Secretary, D.L.S.A, Purulia for information.

Dictated & Corrected by me,

Sd/-

District Judge, Purulia.

Sd/-

District Judge, Purulia
(J.O. Code- WB00587)