

O.S. 5 of 2016
CIS NO.O.S.151 of 2016
CNR NO.WBSP01-011561-2016
JO CODE WB00580

Order No.28 dated 28.09.2021

Today is fixed for passing order.

Heard Ld. Advocate on the previous day in respect of the petition filed under Order 22 Rule 4 read with section 151 CPC. It has been submitted at the time of hearing that for obtaining probate, this case has been filed against the one Sunil Kumar Roy being defendant no.2 with other defendants. Sunil Kumar Roy died intestate on 14.12.2019 leaving behind his widow, three daughters as legal heirs and copy of death certificate has been filed. The petitioner by filing the petition dated 11.03.2020 tried to substitute the names of the legal heirs in the petition as stated in the schedule.

On perusal of the death certificate as well as petition, I find the said is within time limit and accordingly the prayer is allowed. Let the name of the defendant nos.2(a), 2(b), 2(c) and 2(d) are substituted in place of defendant no.2.

Amend the cause title of the plaint and register accordingly.

Petitioner is directed to take steps upon the substituted defendants by the date fixed.

To 17.01.2022 for taking steps.

Sd/-

Dictated & corrected by me.

Addl. District Judge,
1 st Court, Alipore,
South 24 Parganas
28.09.2021