

**O.S. No. 05 of 2019**  
**CIS Registration No.115 of 2014**  
**(CNR No. WBSP07-000066-2014)**

**Order Number 50 dated 18.11.2025**

The plaintiff is present by filing separate haziras through his Ld Advocate.

Today is fixed for hearing of show cause petition dt.26.06.2025.

Perused the petition. The cause shown in the petition is sufficient and it is accepted.

I find on scrutiny that vide order No.44 dated 15.05.2024, the defendant Nos.1,3(a), 3(b), 3(c), 3(d) & 5 appeared by filing vakalatnama. Today they are found absent on repeated calls. None moves. None appears on behalf of them. It is now 12.40pm. It appears that they have not filed written statement as yet. Accordingly, the suit be proceeded ex-parte against the defendant Nos.1,3(a), 3(b), 3(c), 3(d) & 5.

I further find that the summons upon the defendant No.2 has not been properly served. The plaintiff is directed to take steps upon the defendant No.2.

The plaintiff files a petition U/o 22 Rule 4 read with Section 151 CPC stating that during the pendency of this suit, defendant No.4 died on 03.10.2025 leaving behind her two legal heirs. The plaintiff has prayed for substituting the names of the legal heirs of the deceased defendant No.4 in his place.

I have considered the petition and the submission of Ld Advocate appearing on behalf of the plaintiff. The application is supported by an affidavit. It appears that the defendant No.4 Dolly Mitra died on 03.10.2025. This application is filed today i.e. on 18.11.2025 which is within time.

I therefore intend to allow the prayer of the plaintiff.

It is accordingly,

**ORDERED**

that the petition U/o 22 Rule 4 dated 18.11.2025 filed by plaintiff is allowed. Let the names of the legal heirs of the deceased defendant No. 4 Dolly Mitra be substituted in her place. Plaintiff is directed to file a plaint incorporating the names of the legal heirs of defendant No.4 in her place afresh.

To **06.03.2026** for steps upon defendant No.2 & for filing revised plaint by the plaintiff.

To date for S/R & A/D. Requisites at once.

*Dict. & Corr. by me,*

*Addl. Dist. & Sess. Judge, 2<sup>nd</sup> Court,*  
*Sealdah.*

*Addl. Dist. & Sess. Judge, 2<sup>nd</sup> Court,*  
*Sealdah.*  
*(J.O. Code No. WB00656)*

