

O.S. No. 04 of 2018
(R-4 of 2018)
(CNR No. WBSP07001243-2018)
(J.O. No. WB00702)

Order No. 30 dated 16.06.2022

This day is fixed for hearing of the petition dt.10.05.2022 filed by the plaintiff/executor namely, Sri Ranjit Kr.Dey wherein, he prayed for substituting the names of the legal heirs of Bimalendu Chakraborty and his wife namely, Smt. Sujata Chakraborty who died leaving behind their three legal heirs being two daughters and one son namely, Indrani Chakraborty, Sarbani Chakraborty and Amitava Chakraborty on the ground stated therein and also in respect of a petition filed by one Rajeshwar Shaw dated 04.11.2019 U/o 1 rule 10(2) of CPC read with sec. 151 of CPC wherein he prayed for adding him as a party in the suit on the ground as stated therein.

On repeated calls none appears on behalf of the petitioner namely, Rajeshwar Shaw. So far as the petition U/o 22 rule 4 is concerned.

Heard ld. lawyer for the petitioner.

Ld. advocate submits before this court that both of them died on 11.02.2022 and 20.03.2022 respectively. Ld. advocate further submits that the petition has been filed well within the statutory period and accordingly, prays for passing necessary order.

Perused the petition. Heard Ld. Advocate for the petitioners.

It appears from the petition that Bimalendu Chakraborty and his wife namely, Smt. Sujata Chakraborty , both are died on 11.02.2022 and 20.03.2022 respectively leaving behind their three legal heirs being two daughters and one son namely, Indrani Chakraborty, Sarbani Chakraborty and Amitava Chakraborty. The instant petition has been filed well within the statutory period.

At the time of hearing it has come to this court that the original death certificate as regards to the alleged death of Bimalendu Chakraborty and his wife are yet to be filed in original. Hence, without perusal of the original death certificates of both the persons above named, this court is not in a position to pass any order. Hence, the ld. lawyer is hereby directed to file the death certificates in respect of the

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alleged death of Bimalendu Chakraborty and his wife Smt. Sujata Chakraborty positively by the next date.

Fix **18.07.2022** for filing of the original death certificates and for taking steps and hearing of the petition dated 04.11.2019 U/o 1 rule 10(2) read with sec. 151 of CPC.

D/C by me
Sd/-Bibhas Chatterjee
A.D.J., 2nd Court, Sealdah

Sd/-Bibhas Chatterjee
Addl. District Judge
2nd Court, Sealdah
South 24-Parganas