

O.S.-07/2019.

Order No.29.

Dated 14.05.2025:

Today is fixed for hearing of the petition U/O. 22 R 4 of C.P. Code.

Plaintiff files hazira.

Defendants are without steps and found absent on repeated calls.

It is now 12:50 P.M.

Thereafter, the petition dtd 19.03.25 is taken up for hearing.

Perused the said petition wherein the plaintiff has prayed for substitution of legal heirs of deceased defdt. no.4 named Chhabi Guha, as morefully described in the schedule of the said petition.

Also perused the provision of Order 22 R 4 of C.P. Code wherein it has been provided that when one of two or more defendants dies and the right to sue does survive against the surviving defendants alone – on an application in that behalf the Court shall cause the legal representative of the deceased defendant to be a party and shall proceed with the suit.

The said petition has been filed within the stipulated time as laid down under Article 120 of Limitation Act.

In view of the statutory mandate, the petition dtd. 19.03.25 U/O22 R 4 of C.P. Code is hereby allowed.

Plaintiff to file the revised plaint by 18.07.25 & take steps upon the legal heirs of deceased defendant no.4 by 18.07.25.

D/C by me.

ASJ, FTC-II, Sealdah.

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