

T.A. No.30 of 19

Order No.29
dated 03/09/2024

Today's date is fixed for filing S.R. & A/D of respondent Nos. 5 to 9.

Appellant files hazira through his Ld. Advocates.

The record is taken up for hearing in respect of two petitions dated 29.03.23 and 19.01.24.

Herd the Ld. Advocate of the appellant.

Perused the said petitions under consideration.

It is contended on behalf of the appellant that the respondent No.5 namely Sundar Das expired unmarried leaving behind his four brothers being respondent Nos.1 to 4 as his legal heirs and as such here is no need to take steps upon legal heirs of the deceased respondent and the deceased respondent No.5 should be recorded as dead.

Since the respondent No.5 died unmarried leaving behind respondent Nos.1 to 4 as h is legal heirs there is no question of taking any further steps.

Therefore, both the applications dated 29.03.23 an 19.01.24 are allowed and accordingly disposed of.

Let the name of deceased respondent No.5 Sundar Das be expunged from the cause title of the Memo of Appeal.

No S.R. &A/D is received in respect of respondent No.6 to 9.

Appellant is directed to take fresh steps upon respondent Nos.6 to 9.

LCR is not received.

Issue requisite.

To **08/11/2024** for S.R. & A/D of respondent Nos. 6 to 9 and LCR.

Addl. Dist. Judge
2nd Fast Track Court
Diamond Harbour