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22.02.21

Today is fixed for hearing of the petition under order XXII rule 4 (4) of the CPC filed by the plaintiffs on 18.11.2019.

The learned lawyers for the plaintiffs and the defendants 9, 10, 12 and 13 are present by filing *hazira*.

Heard both the sides and perused the case record.

Considered.

It appears from the averments of the applicants/plaintiffs that the defendant no. 1 has already expired. It further appears that his legal heirs are already on record. So, there is no bar to allow the present application.

Accordingly, the application stands allowed the plaintiffs are exempted to bring the legal of the deceased defendant on record.

It appears that the written statement filed by the defendant no. 9 is yet to be accepted.

Perused the cause shown and the prayer for vacating the order of *ex parte* hearing which were filed by the said defendant on. 02.09.2019. Considered. The cause shown is accepted and the prayer for setting aside the order of *ex parte* hearing against the said defendant is set aside with costs of Rs. 100/-.

Subject to payment of such costs the WS filed by the defendant no. 9 also stands accepted.

To **31.03.2021** for payment of costs of Rs. 100/- by the defendant no. 9 and SR/AD of the defendant no. 11.

The plaintiffs are directed to take fresh steps with respect to such defendant.

D/C  
Sd/-  
(Civil Judge, sr. divn., Kakdwip)

Sd/-  
(Civil Judge, sr. divn., Kakdwip)  
UID No. WB838