

T.S. 01 of 2019
CNR No. WBSP17-000883-2011
(J.O. Code-WB0962)

Order No. 86 dated 14-06-2022

Today is fixed for hearing.

Learned advocates for both sides file their respective haziras.

One petition dated 19.03.2021 under Order 32 read with section 151 of the CPC praying for permission to proceed with the suit is taken up for hearing.

Heard both sides. Perused the case record.

It appears from the petition that the plaintiff nos. 1 and 2 have attained majority and they want to proceed with this suit. Accordingly, the petition is considered and allowed.

Another petition dated 19.03.2021 under Order 22 rule 4 of the CPC is taken up for hearing.

Perused the said petition. Heard the learned advocate. Considered.

It appears that the defendant no. 2 Monirul Ali Khan died on 01.02.2021 leaving behind his legal heirs and the instant petition for substitution was filed on 19.03.2021, which is well within the prescribed period of limitation. Accordingly, I am inclined to allow the said petition.

Accordingly, the petition dated 19.03.2021 for substitution on account of death of defendant no. 2 Monirul Ali Khan is considered and allowed without any costs.

Let the legal heirs of defendant no. 2 be brought on record and arrayed as defendants.

Note in the plaint.

Dealing Assistant is directed to do the needful.

Another petition dated 19.03.2021 filed by the father of plaintiff nos. 1 and 2 praying for exemption from representation of his minor sons as they have attained majority. So, the petition is considered and allowed.

To 05.09.2022 for fresh plaint.

Plaintiff is directed to necessary steps.

Sd/-

(Civil Judge, Sr. Divn., Kakdwip)

D/C

Sd/-

(Civil Judge, Sr. Divn., Kakdwip)

