

In the Commercial Court at Alipore
Present: Smt. Suparna Ray (JO Code: WB00711)

Title Suit(Com) 04 of 2025
(CNR no. WBSP18-000059-2025)

DEBASISH KUMAR & 04 ORS.

.....Plaintiff

V/S

ANANTA KUMAR GHOSH & 08 ORS.

.....Defendants

Order No. 41

13.01.2026

Today is fixed for taking necessary steps by the plaintiffs.

Hazira filed on behalf of the plaintiff nos. 1,3,4 and 5 through Ld. Advocate.

Ld. Advocate for the plaintiffs is present.

Hazira filed on behalf of the defendant nos. 8 and 9 through their Ld. Advocate.

Ld. Advocate for the defendants is present.

Copy of Power of Attorney showing the appointment of constituted attorney newly is filed on behalf of the plaintiffs along with fresh Vakalatnama. Let the same be kept with the record.

An application has been filed on behalf of the plaintiffs under Order I Rule 10(2) read with Section 151 of CPC with a prayer to expunge the name of plaintiff no. 2 and to amend the cause title of the plaint of the instant suit on the ground as stated therein. The said application be registered as I.A No. 1/2026.

At this stage, Ld. Advocate appearing on behalf of the defendant nos. 8 and 9 submitted that no written objection would be filed against such application filed by the plaintiffs

today. Accordingly, the instant application being I.A No. 1/2026 is taken up for hearing.

Heard Ld. Advocates of both sides.

Perused the instant application filed by the plaintiffs under Order I Rule 10(2) read with Section 151 of CPC and other materials on record.

In the instant application, it is submitted that on 28.11.2025, the plaintiff no. 2 namely Sudipta Kumar had expired and the deceased is not survived by any legal heirs. The copy of death certificate of deceased plaintiff no.2 is annexed along with the application as Annexure-A.

Accordingly in the instant application the plaintiffs prays to expunge the name of plaintiff no. 2 from the array of the plaintiffs in the cause title of the plaint and also be permitted to amend the cause tile of the plaint.

No objection is raised on behalf of the defendants against such prayer of the plaintiffs.

Considered.

The aforesaid court considers that the prayer for striking of the name of the plaintiff no. 2 is attracting, the stipulation of the order I Rule 10(2) read with Section 151 of CPC and in the facts and circumstances as such the plaintiff is permitted to expunge the name of the plaintiff no. 2 from the array of the plaintiffs in the cause title of the plaintiffs.

The plaintiff to take necessary steps to amend the cause title of the plaint accordingly.

B.C to do the needful and note it accordingly in the plaint as well as in the concerned register.

Plaintiff is also directed to file amended plaint by
28.01.2026 at 10:45 a.m

The I.A.No.01/2026 is, thus, disposed off accordingly.

Todate for further order.

Parties to act on the basis of the downloaded copy of the
ordersheet from the Web-site/E-courts- app.

Dictated & corrected by me,

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*