

Order No 133 Dated 27.10.2025

Today the record is put up on the strength of a put up application filed by the plaintiffs.

Plaintiffs file one petition under O.22 R.2 & 3 of CPC dated 27.10.2025 along with a vokalatnama.

Let the petition U/O. 22 R.2 & 3 of CPC dated 27.10.2025 filed by the plaintiff be taken up for hearing.

The plaintiff submitted before this Court that the plaintiff no 10 namely Ranjit Patra died on 03.09.2025 leaving behind his wife, three sons and three daughters as his legal heirs as mentioned in the petition. The wife of the deceased plaintiff no. 10 is already contesting this present suit as plaintiff no. 9. However, the rest legal heirs of deceased plaintiff no. 10 are required to be substituted in place of deceased plaintiff no 10 in this case and the names of the legal heirs of deceased plaintiff no. 10 has been mentioned in the schedule of this petition. Plaintiff filed the copy of the death certificate of the deceased plaintiff no 10.

The defendants raised formal objection. Heard & considered.

On careful perusal of the case record as well as the instant petition filed by the plaintiff this Court found that in this instant petition plaintiffs contented that the plaintiff no 10 namely Ranjit Patra who died on 03.09.2025 and the said deceased plaintiff no 10 leaving behind him his legal heirs as mentioned in the schedule of the instant petition and his widow is already on record as plaintiff no. 9 and all the legal heirs except the plaintiff no. 9 who is the widow of deceased plaintiff no. 10, are required to be substituted in his place as plaintiff no. 10Ka, 10Kha, 10Ga, 10Gha, 10Uma and 10Cha as the right to sue devolves upon them and one photo copy of the death certificate of said deceased plaintiff no 10 has also been filed by the remaining plaintiffs before this Court and it reveals from the photo copy of the death certificate that plaintiff no 10 died on 03.09.2025 and the instant petition has filed well within the statutory time as per the provision of law.

Hence ,it is

ORDERED

that the petition U/O 22 Rule 2 & 3 of CPC dated 27.10.2025 of CPC filed by the plaintiffs be and the same is hereby allowed on contest.

Todate (11.11.2025) for evidence of D.W 1 and file amended plaint in the meantime.

D/C by me

Civil Judge Jr. Div. Additional
Court , Garhbeta.