

**T.S.29/2020**  
**(CIS-25/20)**

13/01.03.2023

Today is fixed for hearing the petition u/o 22 Rule 3.

The substitution petition is taken up for hearing. Copy already served.

Plaintiff as well as defendants are present by filing hazira.

The petitioner filed the application under order 22 rule 3 along with photocopy of death certificate stating that the plaintiff no.2 namely, Jaydeb Pal died on 31.12.2022 leaving behind his three daughters, namely, 2(ka) Smt. Ruma Singh, 2(kha) Sima Ghorai, 2(ga) Uma Samanta as his legal heirs and successors.

Ld. Advocate for the defendants is present at the time of hearing of the instant petition and filed a petition praying for time to file W/S. The petition is considered and rejected for being misconceived as the suit is proceeding ex-parte against the said defendants vide order no.11 dated 13.12.2022.

Heard Ld. Advocate of both sides.

Perused the petition under Order 22 Rule 3 and the materials available on record, it reveals that the plaintiff no.2 namely, Jaydeb Pal died on 31.12.2022 leaving behind his above mentioned legal heirs and successors and the substitution petition is filed on 31.01.2023 which appears to be well within the prescribed period of limitation. The substitution petition is filed by Ruma Singh i.e. the one of the daughters of the deceased plaintiff.

Hence, it is

**Ordered**

that the substitution application filed by the petitioner for substitution of plaintiff is hereby considered and allowed.

Let the above mentioned legal heirs of the deceased plaintiff be substituted in place of the deceased plaintiff namely Jaydeb Pal and numbered accordingly.

BC-I to make necessary note in the relevant register accordingly.

To 07/07/2023 for S/R of defendant no.10, 12 and 13.

D/C by me,

*S/d- Sri Kishor Kumar Chakraborty*

Civil Judge( Jr. Division).

Garhbeta, Paschim Medinipur.

*S/d- Sri Kishor Kumar Chakraborty*

Civil Judge( Jr. Division).

Garhbeta, Paschim Medinipur.

**J.O. Code – WB01413**