

T.S.52/2022(385/2017)

Order No.27

Dated : 21.09.2022

Both parties files hazira. Today is fixed for filing W/S by defendant no. 1-7 and 11-14 and taking steps upon defendant no. 10. Ld. Advocate for the plaintiff files a petition for expunging name of defendant no. 10.

Ld. Advocate for defendant no. 1-7 and 11-14 filed W/S today. Let it be taken on record.

Hd. Both sides.

Accordingly the record is now taken up for passing necessary order with regard to expunging petition.

Plaintiff by filing this petition has prayed for deleting name of defendant no. 10 from the cause title of the plaint as the said defendant had already expired even before filing of this suit and plaintiff wrongly added him as party to this case. On perusal of record also it appears that summons of said defendant returned with note "deceased".

Accordingly, prayer sought for is formal in nature and therefore I do not find any impediment in allowing said petition.

Hence, it is

Ordered

that the application for expunging name of defendant no. 10 is allowed on contest.

Let the name of Defendant no. 10 be deleted from the plaint.

D.A to take note in cause title of plaint.

To 24.11.2022, for framing of issues.

T/C by me

Sd/- Riha Trivedi
Civil Judge (Jr. Divn.)
Additional Court, Garhbeta,
Paschim Medinipur
J.O.Code- WB 01318

Sd/- Riha Trivedi
Civil Judge (Jr. Divn.)
Additional Court, Garhbeta,
Paschim Medinipur
J.O.Code- WB 01318