

Item **07.05.**
No. **2026**
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IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

SA 332 of 2006
IA NO: CAN 3 of 2014 (Old No: CAN 10442 of 2014)
CAN 4 of 2014 (Old No: CAN 10443 of 2014
CAN 5 of 2021
CAN 6 of 2021
CAN 7 of 2021
CAN 8 of 2021

Kanti Devi Shrivastava
Vs
Jagadish Chandra Das

Mr. Animesh Das,
Mr. Indrajit Chatterjee.

... for the appellant.

Ms. Abantika Garai,
Ms. Kabita Ghosh.

... for the respondent.

In Re: CAN 3 of 2014 (Old No: CAN 10442 of 2014)
CAN 4 of 2014 (Old No: CAN 10443 of 2014)

1. Parties are present through their respective Counsels.
2. CAN 3 of 2014 (Old No: CAN 10442 of 2014) is an application for substitution in view of death of appellant No.2.
3. CAN 4 of 2014 (Old No: CAN 10443 of 2014) is an application praying for condonation of delay and setting aside the abetment.
4. Learned advocate for respondent did not stand in the way of the prayer of the learned advocate for the appellant.

5. The appellant No.2 expired on 10th December, 2013, leaving behind the legal heirs and successors as mentioned in paragraph 1.
6. Condoning delay abatement is hereby set aside. Accordingly, CAN 4 of 2014 (Old No: CAN 10443 of 2014) stands disposed.
7. The legal heirs of appellant no. 2 as mentioned in paragraph 1 of the application being CAN 3 of 2014 be substituted in her place. Accordingly, CAN 3 of 2014 (Old No: CAN 10442 of 2014) also stands disposed of.
8. Department is directed to take necessary steps for amendment of cause title in the memorandum of appeal.

**In Re: CAN 5 of 2021
CAN 7 of 2021**

9. CAN 5 of 2021 is an application for substitution in view of death of respondent no.2. who expired on 7th November, 2020 leaving behind his legal heirs and successors.
10. There is delay in filing this application and the application being CAN 7 of 2021 has been filed.
11. Condoning delay abatement hereby is set aside.
12. The legal heirs of respondent no.2 as mentioned in paragraph 1 of the application

being CAN 5 of 2021 be substituted in his place.

13. Accordingly, both the applications being CAN 5 of 2021 and CAN 7 of 2021 stand disposed of.

14. Department is directed to take necessary steps for amendment of cause title in the memorandum of appeal.

**In Re: CAN 6 of 2021
CAN 8 of 2021**

15. CAN 6 of 2021 is an application for substitution in view of death of appellant no.4. who expired on 13th April, 2020 leaving behind her legal heirs and successors.

16. There is delay in filing this application and the application being CAN 8 of 2021 has been filed.

17. Condoning delay abatement is hereby set aside.

18. The legal heirs of appellant no.4 as mentioned in paragraph 1 of the application being CAN 6 of 2021 be substituted in her place.

19. Accordingly, both the applications being CAN 6 of 2021 and CAN 8 of 2021 stand disposed of.

20. Department is directed to take necessary steps for amendment of cause title in the memorandum of appeal.
21. Let the appeal be listed for hearing on 18th June, 2026. Paper book shall be prepared in the meantime.

(Sugato Majumdar, J.)