

12.08.2026
Sl. No.59+60(DL)
Ct. No.14
srm

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION**

[Assigned)

**S.A. No.327 of 1987
with
CAN 2 of 2024
and
CAN 3 of 2024
with
S.A. No.328 of 1987
With
CAN 1 of 2009 (Old No.CAN 6816 of 2009)
with
CAN 2 of 2024
with
CAN 3 of 2024**

**Lakshmi Narayan Pal Chowdhury
Versus
Protiva Sen & Ors.**

Ms. Kaberi Ghosh (Dey)

...for the Appellants.

Mr. Sukanta Das

...for Respondent Nos.1 to 3.

CAN 1 of 2009 (Old No.: CAN 6816 of 2009)

1. This is an application seeking for substitution of legal heirs of the deceased appellant, Lakshmi Narayan Pal Chowdhury.
2. Ms. Kaberi Ghosh (Dey), learned advocate appearing for the applicants submits that the applicants are the only legal heirs of the deceased appellant. She seeks for substitution of the legal heirs in place of the deceased appellant. She files a copy of the death certificate of the said Lakshmi Narayan Pal Chowdhury being No. 0260763 issued by the Kolkata

Municipal Corporation, Health Department on 21st July, 2009 which is taken on record.

3. Mr. Sukanta Das, learned advocate appearing for the respondents leaves the matter to the discretion of the Court.
4. It is found that the sole appellant died on 21st July, 2009. The application seeking substitution is filed on 3rd August, 2009, which is within the statutory period of limitation.
5. Having considered the materials on record particularly the death certificate of the said Lakshmi Narayan Pal Chowdhury and the contentions made on behalf of the parties, let the legal heirs of the deceased appellant as mentioned in para 2 of the application namely Smt. Karabi Pal Chowdhury (the wife) and Sri Joydeep Pal Chowdhury (the son) be substituted in place of the deceased appellant as appellant nos. 1(a) and 1(b) respectively.
6. The Department is directed to take appropriate steps for amendment of the cause title of the appeal.
7. Accordingly, ***CAN 1 of 2009 (Old No.: CAN 6816 of 2009)*** stands disposed of.
8. List these appeals after four weeks under the same heading.

(Bivas Pattanayak, J.)