

25.6.2025
Ct. 655
Sl.no.27.28.29
samarpita

SA 427 1997

With
CAN 5 of 2024 (Old No. CAN 6814 of 2005)

CAN 6 of 2024

Niranjana Adhikary
-Vs-
Gita Rani Ghosh

with

SA 191 1998

With
CAN 5 of 2024, CAN 6 of 2024
CAN 7 of 2025

Amiya Ghosh @Amiya Kumar Ghosh & Ors.
-Vs-
Niranjana Adhikary

With

SA 192 1998

Gita Rani Ghosh & Ors.
-Vs-
Niranjana Adhikary

Mr. Joyak Kumar Gupta
... for the appellant (SA 427 of
1997)
Mr. Bhaskar Ghosh, Sr. Adv.
Ms. Debarati Sen (Bose)
.... For the appellant (SA 191 of 1998,
SA 192 of
1998)

Mr. Bhaskar Ghosh, Sr. Adv.
Ms. Debarati Sen (Bose)
... for the respondent (SA 427 of 1997)

In re: CAN 5 of 2024

1. This is an application filed on behalf of the appellants seeking for recording the death of Smt. Gita Rani Ghosh the respondent no. 1 and Smt. Mahamaya Ghosh, respondent no. 4 (a) in the cause title of the memo of appeal.
2. It is said in the petition that during pendency of this appeal the respondent no. 1 Gita Rani Ghosh died on 29.4.2023 leaving behind her two sons Sri Amiya Ghosh and Sri Biswanath Ghosh as her heirs/ legal representatives who are already on record as respondent nos. 2 and 3.
3. It is further stated that respondent no. 4 (a) Smt. Mahamaya Ghosh, died intested on 28th December, 2023, leaving behind her three sons namely, Sankar Ghosh, Sri Dipankar Ghosh and Smt. Lipika Ghosh as her heirs/legal representatives who are already on record as respondent nos. 4 (b), 4(c) and 4 (d).
4. Learned Advocate for the respondents raises no objection.
5. As the heirs/legal representatives of both the deceased respondents are already on record. I find there is no impediment in allowing this application.

6. Accordingly, the application being **CAN 5 of 2024** is hereby allowed.

7. Department is directed to make necessary note in the Cause Title of the memo of the appeal regarding death of the said respondent nos. 1 and 4.

In Re: CAN 6 of 2025

8. This is an application filed on behalf of the appellants seeking for recording the death of Sri Biswanath Ghosh, respondent no 9(a) in the Cause Title of the memorandum of appeal.

9. Learned Advocate for the respondents is present.

10. It is said that during pendency of this appeal the respondent no. 9(a) Sri Bishnupada Das, died leaving behind his four sons, namely, Sri Asok Das, Sri Alok Das, Sri Debasis Das, Sri Subhasis Das who are already on record as respondents no(s) 6(b), 6(c), 6(d), 6(e).

11. Learned Advocate for the respondents raises no objection.

12. As the heirs/legal representatives of the said deceased respondent no. 9(a) are already on

record, I find there is no impediment in allowing this application.

13. Accordingly the application being **CAN 6 of 2025** is allowed.

14. Department is directed to make necessary note in the Cause Title of the memo of the appeal regarding death of the said respondent no. 9(a).

SA 427 of 1997

1. It is said by the learned Advocate that in pursuance of the direction passed by this Court Talabana cost and written up notice forms alongwith postal cost has been deposited before the department on 16th June, 2025 for causing service of notice of appeal upon the respondents nos. 4(d), 5(e) to 5 (g), 9(b) to 9(e) in Sa 427 of 1997.

2. Department is directed to issue the same immediately and submit a report on the next date fixed.

3. Appellant is directed to prepare and file requisite number of informal paper books before the department.

15. Let the matter appear in the list on **28th July, 2025.**

SA 191 of 1998

- 1 . Learned Advocate representing the appellant is present.
- 2 . It is said that an application has been taken out with a prayer for dispensation of service of notices upon the respondent no(s) 2(e), 2(f), 4(b), 4 (d) 5 (a) 5 (g) and 9(b), 9(c), 9(d), 9(a).
- 3 . Let the matter appear in the list on **28th July, 2025.**

(**Prasenjit Biswas, J.**)