

23
24.02.2026
Court. No. 40
Ashim/P.A.

In the High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side

SA/223/1993
+
IA NO:CAN/1/2001(Old No:CAN/9554/2001),
+
CAN/3/2011(Old No:CAN/4400/2011),
+
CAN/4/2017(Old No:CAN/1750/2017),
+
CAN/7/2023,
+
CAN/8/2024,
+
CAN/9/2026

CHOWDHURY ABDUS SAMED & ORS
VS
SRI PATIT PABAN PAL

Adv. S. S. Arifin

... for the Appellants.

Adv. Lalratan Mondal

... for the Respondent Nos., 1,
2, 3 (e), 4, 5 (b) & 6.

CAN/1/2001 (Old No: CAN/9554/2001)

1. CAN/1/2001 (Old No: CAN/9554/2001) was filed, praying for substitution of the deceased Appellant No. 9 by legal heirs as detailed in Para No. 3. The Appellant No. 9 died on 11th July, 2001. The application for substitution was filed on 08/10/2001. The Learned Counsel for the Respondent did not raise any objection. Condoning delay, abatement is set aside.
2. The instant application being CAN/1/2001 (Old No: CAN/9554/2001) is accordingly allowed and disposed of.

CAN/7/2023

3. CAN/07/2023 is filed, praying for substitution in view of death of the Appellant No.3. The Appellant No.3 died intestate on 05/05/2022, leaving behind the legal heirs as detailed in Para No.3 of the application.
4. The instant application was filed on 28/06/2023. The Learned Counsel for the Respondent did not raise any objection.
5. Condoning delay, abatement is set aside. This application is also allowed.

CAN/08/2024

6. CAN/08/2024 is another application, praying for substitution. In this case, the Respondent No.4 died intestate on 17/08/2024, leaving behind the legal heirs as detailed in Para No.3.
7. The instant application was filed on 19/09/2024, within time. The Learned Counsel for the Respondent did not raise any objection. This application is also allowed.

CAN/09/2026

8. CAN/09/2026 is another application, praying for expunging the name of the Respondent No.3, since the legal heirs are already on record. The Learned Counsel

for the Respondent did not raise any objection. This application is also allowed.

9. Accordingly CAN/1/2001(Old No:CAN/9554/2001), CAN/7/2023, CAN/8/2024, CAN/9/2026 stands disposed of.

10. Department is directed to do the needful.

11. Fix 19th March, 2026 for hearing CAN/3/2011(Old No:CAN/4400/2011).

(Sugato Majumdar, J.)