

**15.09.2025
Item no.01
Court No.50**

**Swarbhanu Nan.
VS
Subhradip nan & Ors.**

Ld. Advocate Sayantan Bose and Priyanka Gope are appearing for appellant and Ld. Advocate Sabita Mukherjee appears for respondent.

Perused the report of the superintendent FA section.

It appears from the said report as well as submission of the Ld. Advocate for the appellant as well as the Ld. Advocates appearing to represent the legal heir of the deceased respondent no. 1 that an application for substitution being registered as CAN 05/2025 was filed by the appellant to substitute the respondent no. 1 on his death by his legal heirs.

The report of the department concerned disclosed that the said petition has been filed within the statutory period and it has also contained the fact that the legal heir of the deceased respondents are all major and sui juris but, the said petition is bereft of the statement that the legal heirs and representatives are sound mind or not.

Ld. Advocates, who are appearing to represent the legal heirs of the said deceased respondent, on receiving notice, submit that the legal heirs of the respondents named in Paragraph 2 of the said CAN application are all sound mind.

Considering the aforesaid fact and the submissions of the Ld. Advocates, I find there is no impediment to allow the instant petition for substitution.

Accordingly, CAN 05/2025 is allowed and stands disposed of. Let, the legal heirs, named in Paragraph 2 of the aforesaid CAN application be substituted in place of the deceased respondent no.1.

The department is directed to take follow up steps.

The affidavit of service filed by the Ld.
Advocate for the appellant is taken on record.

Registrar Administration (L&OM)