



12.11.2024
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Bd.

SA 98 of 2011

IA No. CAN 3 of 2024, CAN 4 of 2024, CAN 5 of 2024

**Austin Distributors (P) Ltd.
Vs.
Sri Sri Iswar Ganesh Chandra Jiu & Ors.**

Mr. Aniruddha Chatterjee
Mr. Anil Chowdhury
Mr. Debabrata Ray ...for the Appellant

Mr. Surajit Nath Mitra
Mr. Partha Pratim Ray
Mr. Sankarsan Sarkar
Mr. Soumyadeb Sinha
Mr. Suranjan Chatterjee ...for the Respondents

Re : CAN 5 of 2024

Applicant/appellant submits that during pendency of the appeal one of the Shebait namely, Somnath Sen, Opposite Party/respondent No. 3(c) died and in his place his legal heir, Aparna Sen, may be substituted.

Learned counsel appearing on behalf of the respondents/opposite parties submits that the deity has been represented by other Shebait and as such the question of abatement does not arise and in the aforesaid background legal heir of deceased Shebait is not required to be substituted for disposal of the present appeal.

Considering submissions made by the parties, the petitioner/appellant is hereby exempted from



substituting legal heir of deceased
Shebait/respondent no. 3(c).

CAN 5 of 2024 is accordingly disposed of.

Re : SA 98 of 2011

Heard learned counsel appearing on behalf of
the appellant in part.

Let the matter appear on 22nd November, 2024
under the heading “Part-heard matter” at 2.00 p.m.

(Dr. Ajoy Kumar Mukherjee, J.)