

FA-227 of 2025

**04.08.2025
Item no.10
Court No.50**

**Sujoy Banerjee
VS
Malobika Chakraborty & Anr.**

Ld. Advocate Aninda Chatterjee appears for appellant.

Perused the report of the superintendent of FA section.

In the said report it is mentioned that a substitution application being registered as CAN 01/25 has been filed of 20.06.2025 for substituting the respondent no. 2, who died intestate on 26.03.2025, which came to the knowledge of the appellant on 01.05.2025 from the reliable source.

It is also found from the report of the department that the copy of death certificate of the deceased respondent is not found but other formalities have duly been complied in the said application for substitution.

Ld. Advocate for the appellant submits that being the opponent, it will not be possible to get the death certificate of the respondent. It is also submitted that the appellant came to know about such death of respondent no. 2 only on 01.05.2025 and thus the instant petition was filed within the period of limitation from the date of their knowledge.

Considering the fact and circumstances as stated above, the application for substitution of the deceased respondent no. 2 is allowed.

Let, the legal heir of the deceased respondent no. 2, as mentioned in second and third paragraph of the said application be substituted in place of the deceased respondent no. 2.

The department is directed to do the needful.

Registrar Administration (L&OM)

