

28.02.2025
Item No.7
PG/KS
Ct. No.7

C.O. 749 of 2015
+
I.A. No. CAN 1 of 2024
Sri Krishna Pada Majumder
Versus
Dr. Debranjana Das & Ors.

Mr. Tulshi Das Roy
Mr. Tapan Roy
Mr. Tirthankar Roy

.....For the Petitioner

In Re.: I.A. No. CAN 1 of 2024

1. Learned advocate for the petitioner is present and filed an affidavit of service, which shows that pursuant to the direction of this Court, the application for substitution was sent to Sri Nikhil Ranjan Das, Smt. Dipika Das (Sardar), Smt. Dikhita Das, Smt. Tapasi Das and Smt. Anusree Das being the legal heirs of Dr. Debranjana Das/opposite party no.1. It is stated in the affidavit of service filed by the petitioner that all the legal heirs of Dr. Debranjana Das/opposite party no.1 have received the application for substitution but, Smt. Dikhita Das and Smt. Anusree Das refused to accept the application for substitution. However, on perusal of the postal envelope, it appears that the same could not be served and the endorsement is that "addressees not found", when the track

consignment report in respect of those two persons shows that the item delivered on 23rd July, 2024.

2. Let affidavit of service be kept with the record.
3. However, no one appears on behalf of the original defendant/principal pre-emptee or the proforma defendants/opposite parties.
4. Heard the submission and considered.
5. Let the legal heirs of the deceased opposite party no.1 be substituted.
6. The department is directed to take necessary steps to incorporate the names of the substituted opposite parties.
7. Accordingly, the application being, I.A. No. CAN 1 of 2024 stands allowed.
8. The petitioner is further directed to serve a copy of this revisional application afresh on the substituted opposite parties.
9. The matter be fixed for admission on the next date of sitting of this Court.

(Chaitali Chatterjee (Das), J.)