

19
01.10.2021
Ct. No.23
sb.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

CAN 1 of 2017 (CAN 1230 of 2017)
in
WPA 23187 of 2014

Dilip Kumar Chakraborty & Anr.
Vs.
West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Subrata Ghosh
... For the applicant/petitioner

Mr. Srijan Nayak
Mr. Raj Kumar Basu
... For the WBSEDCL

In Re: CAN 1 of 2017 (CAN 1230 of 2017)

Affidavit of service filed in Court today is taken on
record.

This is an application for substitution of the legal
heirs and heiresses of Dilip Kumar Chakraborty, the
petitioner no.1, who according to the applicants died
intestate on 28th November, 2016 during the pendency of
the writ petition. The applicants are claiming to be the
legal heirs and heiresses of said Dilip Kumar
Chakraborty, since deceased. The application was filed on
10th February, 2017 and as such within 90 days time
period as provided under Article 120 of the Limitation Act,
1963 and/or principles analogous thereto. The applicants
also say that the right to sue survives in their favour.

Considering such statement, the application is allowed. The legal heirs and heiresses of the petitioner no.1, the details whereof are provided in paragraph 4 of the application, are substituted as petitioner no.1A, 1B, 1C, 1D and 1E respectively.

Let the advocate on record of the petitioners carry out the amendment within 16th November, 2021 and serve a amended copy of the writ petition upon the respondents and/or their advocate.

The Department and/or Registry is directed to take appropriate steps.

CAN 1 of 2017 (CAN 1230 of 2017) is accordingly disposed of.

In Re: WPA 23187 of 2014

The affidavit-in-opposition and affidavit-in-reply respectively filed by the respondents no.1, 2 and 3 and the petitioner are taken on record.

Let the writ petition go out of the list for the time being with liberty to mention after the amendment is carried out.

(Arindam Mukherjee, J.)