

Item No. 23

Ct 09

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IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

SAT 244 of 2025
with
IA NO: CAN 1 of 2025
CAN 2 of 2025
CAN 3 of 2026

State of West Bengal & Ors.
Vs
Smt. Anita Nanda

Mr. Biksh Goswami..
... for the appellants.
Mr. Ganesh Shrivastava.
Mr. Sukanta Das.
... for the respondent.

In re: CAN 3 of 2026

Learned advocates for the appellants and
learned advocate for the heirs of the deceased sole
respondent are present.

The appellant has sought to bring on record the
heirs of the deceased of the sole respondent who had
died prior to filing of the appeal by filing an
application under Order I Rule 10(2) of the Code of
Civil Procedure being CAN 3 of 2026. Although this
petition is objected by Mr. Ganesh Shrivastava,
learned advocate for the heirs of the deceased sole
respondent but considering the facts that the heirs
has already been impleaded before the Executing
Court and considering the provision Order I Rule 10(2)

of the Code of Civil Procedure where the Court in the interest of justice can add necessary parties, this application stands allowed. Accordingly, CAN 3 of 2026 stands allowed.

Let necessary amendment be carried out by the department within one week. Mr. Shrivastava prays for time to file affidavit-in-opposition to the application under Section 5 of the Limitation Act such time is allowed.

Let affidavit-in-opposition be filed on or before 14.01.2026. Reply, if any, be filed by 19.01.2026. Advance copy be served.

Let the matter appear on 20.01.2026.

(Biswaroop Chowdhury, J.)