

24.02.2026

Court No.40

DL/Item No.-**39 to 42**

[Milan]

SA 95 of 2025

With

CAN/2/2024

CAN/3/2026

SMT PARBATI SEN (SAMANTA)

VS

KALICHARAN DUTTA & ORS.

With

SA 2 of 2024

With

CAN/2/2025

CAN/3/2026

PARBATI SEN (SAMANTA)

VS

KALICHARAN DUTTA & ORS.

With

SA 96 of 2025

With

CAN/2/2024

CAN/3/2024

CAN/4/2026

BASANTI SEN

VS

KALICHARAN DUTTA & ORS.

With

SA 97 of 2025

With

CAN/2/2025

CAN/3/2026

BASANTI SEN

VS

KALICHARAN DUTTA & ORS.

Mr. S. Pal Choudhuri,

Ms. Sanchita Dey Pal,

Ms. Shilpi Paul,

... for the Appellants

Mr. Mrinalkanti Ghosh,
Ms. Bipasha Bhattacharyya

....for the Respondent Nos.8, 19, 20, 22 (in SA 95 of
2025 & SA 2 of 2024)

....for the Respondent Nos.16 and 20 (in SA 96 of
2025 & SA 97 of 2025)

In Re: CAN 3 of 2026 in SA 95 of 2025

1. CAN 3 of 2026 is filed praying for expunging the name of the respondent no.8(a), in view of the death, pleading therein that the sole legal heir and successor, is one of the appellants herein.
2. The learned advocate appearing for the respondent nos.8, 19, 20, 22 did not raise any objection.
3. Accordingly, the application being CAN 3 of 2026 in SA 95 of 2026 is allowed and disposed of.

In Re: CAN 3 of 2026 in SA 2 of 2024

4. CAN 3 of 2026 is also filed praying for expunging the name of the respondent no.8 (a), in view of the death, pleading therein that the sole legal heir and successor, is one of the appellants herein.
5. The learned advocate appearing for the respondent nos.8, 19, 20, 22 did not raise any objection.
6. Accordingly, the application being CAN 3 of 2026 in SA 2 of 2024 is allowed and disposed of.

In Re: CAN 4 of 2026 in SA 96 of 2025

7. CAN 4 of 2026 is filed praying for transposition of the respondent no.5 'Ka' as appellant in place of the deceased appellant, Basanti Sen.
8. The learned advocate appearing for the respondent nos.16 and 20 did not raise any objection.
9. Accordingly, the application being CAN 4 of 2026 in SA 96 of 2025 is allowed and disposed of.

In Re: CAN 3 of 2026 in SA 97 of 2025

10. CAN 3 of 2026 is filed praying for transposition of the respondent no.5 'Ka' as appellant, in view of the deceased appellant, Basanti Sen.
11. The learned advocate appearing for the respondent nos.16 and 20 did not raise any objection.
12. Accordingly, the application being CAN 3 of 2026 in SA 97 of 2025 is allowed and disposed of.
13. It is noted by this Court that the deceased appellant, Basanti Sen, who died intestate on 13.01.2026 and the concerned application is filed within time.
14. In view of allowing and disposal of all the applications, the Department is directed to do needful by amending the cause title and memorandum of appeal.
15. It is also noted that the learned advocate appearing for the concerned applicant submitted by typographical error as the respondent no.5 Kh should be read as respondent no.5 Ka in the concerned application.
16. Only appeal will be heard on 24th March, 2026.

17. Interim order, if any, is further extended till the returnable date.

(Sugato Majumdar, J.)