

Item No. 09.12.2025
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IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

FMAT 491 of 2023
With
IA NO: CAN 1 of 2024
CAN 2 of 2024
CAN 3 of 2025

Nizamuddin Ostagar
Vs
Ajila Bibi & Ors.

Mr. Partha Pratim Roy,
Mr. Dyutiman Banerjee.

... for the appellant.

Mr. Md. Younish Mondal

... for the respondents.

In Re: CAN 3 of 2025

Learned advocates for the parties are present.

The instant application being CAN 3 of 2025 for
substitution is taken up for consideration.

Heard learned advocates. Perused the petition
filed.

This application is taken out by the heirs of late
appellant/Nizamuddin Ostagar for recording his death
and for an order of recording the substitution. The
appellant/Nizamuddin Ostagar died on 14.05.2025.
As the application for substitution is filed within a
period of limitation, the same stands allowed. Let the
name of sole appellant be deleted from the cause title
of memorandum of appeal and the names of the
applicants/legal heirs mentioned in paragraph 2 of

the petition be substituted in his place and stead.

Department is directed to carry out the necessary amendment within a period of two weeks.

Accordingly, **CAN 3 of 2025** stands disposed of.

The interim order of stay granted earlier stands extended till 23.01.2026.

Liberty to mention.

(Biswaroop Chowdhury, J.)