

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDECS

CS/127/1990
IA NO: GA/1/1996(Old No:GA/175/1996),
GA/3/1997(Old No:GA/256/1997),
GA/5/1999(Old No:GA/1951/1999),
GA/19/2023,
GA/20/2023

BINOD KUMAR DUBEY
VS
SMT. SUNDRAWATI DEVI TEWARI

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 6th December, 2023.

Appearance:

Mr. Pourush Bandhopadhyay, Adv.
Mr. Anirban Ghose, Adv.
..for plaintiff

Ms. Jayshree Saha, Adv.
Mr. Partha Chakraborty, Adv.
Mr. Muhammad Obaid, Adv.
..for defendant no.3

The Court:- The Registrar, Original Side is to submit a report of pending applications namely, GA/1/1996, GA/3/1997 and GA/5/1999.

GA/20/2023 is filed by the plaintiff in view of death of defendant no. 6 praying for substitution. It is the case of the plaintiff that on 11th September, 2023, a letter bearing the same date was served upon the plaintiff by the learned Counsel of the defendant no.6 communicating death of defendant no.6 on 7.11. 2020. It is further contained in the letter that defendant no.6 is now surviving by his son namely, Durgesh Kumar Dubey.

In terms of this present application, the defendant no.6 is sought to be substituted by his legal heir.

None opposes.

Let prayers (a) to (f) of the Master Summons be allowed.

The department is directed to do the needful.

GA/20/2023 is disposed of accordingly.

In view of the order passed in GA/20/2023, as above, GA/19/2023 should be rectified and the applicant therein is to take necessary steps in this regard.

Let the matter appear in the list on 5th January, 2024.

The Receiver is not present today.

Learned Counsel for the plaintiff is requested to intimate the next date of hearing to the learned Receiver.

(SUGATO MAJUMDAR, J.)