

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

IA NO. GA/14/2025
In CS/563/1975

AMRIT LALL SHAW
Vs
SHYAMA JAISWAL AND ORS.

BEFORE:
The Hon'ble JUSTICE BISWAROOP CHOWDHURY
Date : 16th September, 2025.

Appearance:
Mr. Paritosh Sinha, Adv.
Mr. Joydeep Roy, Adv.
Mr. Sourjya Samanta, Adv.
...for plaintiff

Mr. Rohit Banerjee, Adv.
Mr. A. S. Tarafder, Adv.
...for petitioner

The Court: Learned Advocate for the applicant is present.

Heard learned Advocate for the applicant.

This application is taken out by the heirs of the deceased defendant that is 5(b) on record. It appears by Order dated 19th November, 2024 the death of the defendant no.5(B) Sanjeeb Kumar Jaiswal was recorded and the heirs who were substituted were Chanda Jaiswal wife of the deceased and Harshit Jaiswal son of the deceased. It is the contention of the applicant that the daughters of the deceased defendant were left out. Learned Advocate for the plaintiff submits that no document is furnished with regard to the proof that they were the daughters of the deceased.

Upon hearing the learned Advocates and considering the facts of the case, this Court is of the view, as this is a matter of substitution and the rights of the parties are not decided and it is only the legal representatives who are brought on the record and the applicant has stated on oath that they are the daughters of the deceased defendant No.5(b) at this stage this dispute should not be adjudicated and the applicants should be permitted to be added as parties. Thus, this application stands allowed. Let there be an Order in terms of prayers (a), (b), (c), (d), (e) and (f) of the Master's Summons dated 25th day of July, 2025.

Let the amendment be carried out within a period of two weeks after vacation and the re-verification be made one week thereafter.

The application stands disposed.

(BISWAROOP CHOWDHURY, J.)