

ORDER SHEET

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

CS/107/2016
IA NO: GA/2/2024

KALIMATA INFRATECH LIMITED
VS
MAHESHWARI DEVI & ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 04th March, 2024.

Appearance:

Mr. Anindya Mitra, Adv.
Mr. Abhisek Seal, Adv.
Mrs. Labani Dey, Adv.
...for the plaintiff

Ms. Reshmi Ghosh, Adv.
Ms. Parna Mukherji, Adv.
...for the defendant No. 1

Mr. Joydeep Guha, Adv.
...for the defendant Nos. 10 to 14.

The Court: Mr. Anindya Mitra, learned Counsel, is appearing for the plaintiff and Ms. Reshmi Ghosh, learned Counsel, is appearing for the defendant No. 1 and Mr. Joydeep Guha, learned Counsel, is appearing for the defendant Nos. 10 to 14.

Counsel for the plaintiff has filed the present application for recording the death of defendant Nos. 21, 22 and 23 and for substitution of legal heirs of said defendants.

Counsel for the plaintiff brought to the notice of this Court to the communication dated 12th October, 2023 wherein it was informed to the plaintiff that defendant No. 21 died on 12th July, 2023 living behind one son and three daughters. The defendant No. 22 died on 26.12.2019 living

behind one son and defendant No. 23 died on 4.02.2017 living behind his wife, one son and one daughter.

Counsel for the defendant has raised objection regarding the death of defendant Nos. 21, 22 and 23 and substitution of legal heirs of the said defendants.

Considering the submission made by the Counsel for the respective parties. Perused the application.

Prayer (a) to (g) of the Master's Summons are allowed.

GA/2/2024 is disposed of.

Counsel for the defendant No. 1 prays for leave to file fresh Vakalatnama on behalf of the defendant No. 1. Leave is granted.

Counsel for the defendant No. 1 is directed to file fresh Vakalatnama within two weeks from date.

After receipt of amended plaint, the defendants are at liberty to file written statement.

(KRISHNA RAO, J.)

Sbghosh