

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

CS/193/2018
IA NO: GA/6/2023

BRIJ LAL AGARWAL AND ORS
VS
ARUN KUMAR DHANUKA

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: 11th April, 2023.

Appearance:
Ms. Nafisa Yasmin, Adv.
..for the plaintiff

Mr. S. E. Hud, Adv.
Mr. M.I.A. Lodhi, Adv.
Mr. Sk. Aptabuddin, Adv.
..for the defendants.

The Court: Counsel for the respective parties are present.

The plaintiff has filed the instant application being GA No. 6 of 2023 praying for recording death of the plaintiff No. 2 and substitution of legal heirs of the plaintiff No. 2.

Counsel for the plaintiff submits that the plaintiff No. 2 died on 29th January, 2023 leaving behind wife, son and daughter as mentioned in paragraph 3 of the instant application. Plaintiff says that unless and until the death of the plaintiff No. 2 is not recorded and the legal heirs of the plaintiff No. 2 is not brought on record. The plaintiff will suffer irreparable loss and injury.

Considering the submission made by the Counsel for the plaintiff, perused the application. Plaintiff has filed the application within a statutory period. Hence, there is no impediment to allow this instant application.

Accordingly, prayer (a) to (c) of the Master's Summons are allowed.

GA No. 6 of 2023 is disposed of.

(KRISHNA RAO, J.)

Sbghosh