Case No :CMAppl.(SA) 0000043/2015

Party Name : PRASANTA BHATTACHARJEE Vs NARENDRA CH. DEB

THE HONBLE MR. JUSTICE S.TALAPATRA

Heard Mr. G. K. Nama, learned counsel appearing for the appellant-petitioner.
This is a petition for amendment of some mistakes appeared in the description of the legal heirs of Narendra Chandra Deb, the sole respondent, who died in the pendency of the appeal being RSA No.92 of 2007.
Having regard to the nature of amendment sought in the petition for substitution, this Court is of the view that this petition should be allowed and the appellant-petitioners would be allowed to amend the description of the legal heirs namely (1) Smt. Jayashree Deb (daughter) and (2) Shri Ramanuj Deb (son). In respect of the other legal heir namely Smt. Sulekha Deb (wife), there is no such mistake.
Mr. K. K. Pal, learned counsel has entered in appearance for Smt. Sulekha Deb as she has received the notice from this Court.
Mr. Pal, learned counsel has not raised any objection against the prayer of amendment as stated.
Accordingly, the prayer for amendment in the description of the legal heirs as stated stands allowed. The appellant-petitioner is permitted to amend the substitution petition in terms of the schedule attached below this petition.
Registry is directed to make necessary correction in the schedule appended below the substitution petition being C. M. Appl.No.142 of 2014 in terms of this order.
Accordingly, this petition stands allowed and disposed of.