

Party Name : PRADIP DEBNATH Vs NITYA NANDA DEBNATH

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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By these two applications the applicant has prayed that the legal representatives of deceased respondent No.3 be brought on record and has also prayed that the delay in filing the appeal be condoned. Notices were issued to the proposed legal representatives. They have not put in appearance. After hearing the learned counsel for the applicant I am satisfied that there are sufficient grounds to condone the delay in filing the appeal which is, accordingly, condoned.

The application for substitution is also allowed and the legal heirs mentioned in the Schedule are arrayed as respondents 3(a) and 3(b) in the main appeal. Fresh memo of parties be filed within 1(one) week from today and thereafter notice be issued to the newly added respondents in the main appeal itself. Steps for service be taken within 2(two) weeks thereafter.

CM applications are disposed of.