

15.01.2025
Item no.06
Court No.50

SUPRAKASH GHORAI
Vs.
RENUKA PRADHAN

Ld. Advocate Mr. Suman Banerjee appears for appellant.

Ld. Counsel for the appellant submits that he filed one application for substitution after demise of respondent no. 1 Renuka Pradhan who died intestate on 13.08.2024 and the said application was filed within time and the same be allowed.

Perused the office report dated 14.01.2025.

It transpires from the said office report that postal notices were issued upon respondent no. 9 and 11 vide memo dated 18.06.2024 by speed post with A.D. But, neither any postal article nor any A.D Card has yet been received till date.

It is further reported that application for substitution being CAN 07/24 has been filed on 04.10.2024 after demise of respondent no. 1 Renuka Pradhan, who died intestate on 13.08.2024 leaving behind her four daughters and one son as her legal heirs who are all major and sui juris and the said application has been filed within time.

It is also reported that an affidavit of service has been filed on 09.01.2025 wherein it is stated that the copy of application has been served upon the Ld. Advocate Mr. Amit Barmar Dash and a letter dated 25.11.2024 is also filed showing the receipt of the same.

In view of the above, it appears that in spite of issuance of postal notice upon respondent nos. 9 and 11, no postal

article or A.D Card has yet been filed by the appellant.

Hence, the Ld. Advocate for the appellant is again directed to put postal requisites for causing service of notice of appeal upon respondent nos. 9 and 11 through speed post with A.D with present and proper address within two weeks from date positively.

An application for substitution being CAN 07/24 has been filed owing to death of respondent no. 1, Renuka Pradhan on 04.10.2024. The said application for substitution has been filed after the death of said respondent no. 1 on 13.08.2024, who died intestate leaving behind her legal heirs, four daughter and one son and as per the Paragraph-5 of the said application, the respondent no. 2 Sri. Tapas Kumar Pradhan, the son of the respondent no. 1 is already on record.

Thus, it is apparent that the said application for substitution has been filed within the stipulated period of time in consonance with the statute and the same has already been duly served upon the respondent nos. 1 and 2.

Hence, the application for substitution being CAN 07/2024 is considered and allowed. Let the legal heirs of deceased respondent no. 1 be substituted.

Accordingly, the concerned department is hereby directed to proceed in accordance with law.

(Nabanita Ray)
Registrar Administration (L&OM)