

20.09.2024
Court No.13
Item no.01
CP

C.O. No. 619 of 2009

With

CAN 1 of 2019

With

CAN 2 of 2019

Shrimati Suchitra Saha

Vs.

Shrimati Mandadari Saha & Ors.

Mr. Rabindranath Mahato

Mr. Aritra Shankar Ray

....for the petitioner.

Mr. Probal Kr. Mukherjee, Sr. Advocate

Ms. Shebatee Datta

....for opposite party nos. 1(a) to 1(l).

1. Recall of the order dated June 20, 2019 is sought on the ground that one of the opposite parties in the proceeding in the court below had died and substitution was not effected.
2. This Court had directed the proceeding to be heard by another authority, i.e., the Additional District & Sessions Judge, Fast Track, 5th Court, Alipore, South 24 Parganas.
3. It is not understood as to why the order dated June 20, 2019 has not yet been taken up, communicated to or complied with by the Additional District Judge, substitution or otherwise of any parties can be effected before

the court below if the proceeding is still pending.

4. This court is of the view that the application has been filed for collateral purposes. The application being CAN 2 of 2019 shall stand dismissed.
5. In view of such disposal CAN 1 of 2019 being an application for substitution is also disposed of.
6. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)