

23.02.2024.
Court No.13
Item No. 21
ap

I.A. No. CAN 1 of 2019 (Old CAN 4970 of 2019)
With
I.A. No. CAN 2 of 2021 (not found in file)
With
I.A. No. CAN 3 of 2021 (not found in file)
In
C.O. No. 2681 of 2018
Sri Dhananjoy Champadar (Halder)
Versus
Madan Mohan Champadar (Dead) represented by Sri
Sadhan Champadar & Ors.

Mr. Amal Baran Saha,
Mr. Satyajit Mondal,
Mr. Suranjan Mondal.

...For the petitioner.

Re: CAN 1 of 2019

1. Affidavit-of-service filed in Court today be taken on record.
2. CAN 1 of 2019 (Old CAN 4970 of 2019) has been filed seeking modification of the order dated 11th March, 2019 passed by this Court.
3. It is specifically pointed out that in the first line of the third paragraph of the first page of the order dated 11th March, 2019, the expression “the plaintiff has two biological daughters” is incorrect.
4. It is submitted that the original deceased plaintiff no.1, namely, one Madan Mohan Champadar has three brothers and sisters each.
5. If the said position is correct, the entire order would become erroneous.

6. In that view of the matter, this Court is left with no option than to recall the entire order dated 11th March, 2019 as a whole.

7. Let the revisional application be listed before the Regular Bench having determination in the matter.

8. The petitioner shall serve notice of this order on Mr. Shyama Prasad Purkait and Ms. Moumita Mondal, who represented the respondent nos.1 to 4 on 11th March, 2019 before this Court. In addition thereto, all the parties in the suit pending in the Court below and also their learned Advocates in the Trial Court shall be served.

9. In view of the above, the application being CAN 1 of 2019 shall stand disposed of.

10. 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.)