

(03)
17.02.2022
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

(Via Video Conference)

CO No. 2485 of 2019

With

CAN 1 of 2021

Smt. Purnima Das (since deceased)

Smt. Kaberi Das & ors.

-versus-

Smt. Rekha Rani Das & ors.

Mr. Gopal Chandra Ghosh,
Mr. R.K. Mondal,

... for the petitioners.

Re : CAN 1 of 2021 (for substitution).

The revisional application was disposed of by the order dated February 11, 2022.

At the time of disposal of the revisional application it was not brought to the notice of this Court that the petitioner no. 1 has died intestate on January 11, 2020 and an application was taken out being CAN 1 of 2021 for substitution of the heirs and legal representatives of the said deceased petitioner no. 1.

Let the said heirs and legal representatives of the deceased petitioner no. 1 whose particulars have been set out in paragraph 2 of the said application be brought on record.

The department is directed to carry out necessary amendment in the cause title of the revisional application.

The order dated February 11, 2022 since was passed in favour of the deceased petitioner, the same is not a nullity, as such, does not require to be recalled (**See 58 CWN 221** reported in ***Himangshu Bhusan Kar and ors. vs. Manindra Mohan Saha***).

CAN 1 of 2021 is thus disposed of.

However there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the party subject to compliance of all requisite formalities.

(Biswajit Basu, J.)