

23.08.2023
Sl. No. 01
Suman
Ct.No.42.

WPA 3178 of 2016

Banani Mistri & Ors.
Vs.
The State of West Bengal and Ors.

Mr. Amit Kumar Pan
Mr. Ram Chandra Guchhait
..for the petitioners

Mr. Satyajit Talukdar
Ms. Piu Karmakar
..for the KMDA

Mr. Lalit Mohan Mahata
Mr. Ziaul Haque
..for the State

Learned advocate for the petitioners has pointed out an order dated 16th February, 2023 to state that the petitioner No.1 had passed away on 5th July, 2022. No substitution was required to be made as the petitioner was issueless. The legal heirs of the petitioners are already on record. However, in the cause title of the instant writ petition the name of the deceased petitioner namely Banani Mistri has been recorded along with others.

It is pointed out that the office was directed to delete the name of the original petitioner No.1 and make necessary amendment in the cause title of the

writ petition. However, the office failed to make necessary correction in the cause title of the writ petition.

In view of such circumstances, the judgment was delivered in the name of Banani Mistri and Ors. Since Banani Mistri, petitioner No.1 died during the pendency of the writ petition, the cause title of the judgment be modified in the following manner.

“Banani Mistri (dead) represented by L.R.s and others versus the State of West Bengal and Ors.”

This order be made part of the judgment dated 14th August, 2023.

(Bibek Chaudhuri, J.)