

**Item 20.08.
No. 2024
25**

**Ct
22**

rup

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

CO 515 of 2020

Ashoke Sardar @ Dewan
Vs
Sohrab Ali Khan since deceased represented by
Jaharnara Begum.

Mr. Debabrata Sardar.

... for the petitioner.

1. The instant revisional application assailed the order dated 24th January, 2020 in connection with Title appeal No. 138 of 2012 passed by the learned Civil Judge (Senior Division), Uluberia, Howrah, wherein one application under Section 151 of the Code of Civil Procedure was filed by one of the respondents/petitioner for adding legal heirs of other respondent namely Renuka Bhandari since deceased.
2. By the impugned order, learned Judge rejected the application under Section 151 of the Code of Civil Procedure on the ground that no documents in respect of the persons to be added has been filed before the court in view of objection raised by the appellant/opposite parties.
3. From the submission advanced on behalf of the

appellants in the appeal, it is found that legal heirs of Renuka Bhandari have already been made party to the appeal.

4. Considering the rival contention, learned Judge recorded the order of rejection of the prayer made in the application under Section 151 of the Code of Civil Procedure.
5. Learned counsel appearing on behalf of the respondent/petitioner herein has submitted the necessary liberty may be given to the respondent/petitioner to file documents showing the entity of the persons to be added as legal heirs of Renuka Bhandari since deceased.
6. Learned Judge recorded the order of refusal on ground of absence of any valid documents in support of the claim of the respondent that the persons to be added are legal heirs of Renuka Bhandari since deceased.
7. I do not find any illegality or impropriety in the order passed by the learned Judge.
8. Therefore, the revisional application stands dismissed with liberty to file afresh along with necessary documents, if there be any, before the Trial Court.
9. With the aforesaid observation, the revisional application stands disposed of.

10. Connected applications if any, also stands disposed of.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.
12. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)