

Party Name : UTTAM KR. CHAKRABORTY Vs ANIMESH CHOUDHURY & ORS

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THE HONBLE MR. JUSTICE S.C.DAS

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Learned counsel, Mr. D. Deb for the appellant-petitioner is present. It is submitted by learned counsel, Mr. Deb that the original sole respondent has died and all his legal representatives have been substituted in the second appeal and notices have been served on all the substituted legal representatives except respondent No.1(d). This petition is filed under Order XI Rule 2 of CPC for delivering interrogatories to the respondents who have appeared in the meantime in respect of the present proper address of respondent No.1(d). Learned counsel, Mr. D.K. Biswas submits that he represented the principal sole respondent but the principal sole respondent had died and the substituted legal representatives of the principal sole respondent till today did not contact with him and therefore he cannot take the responsibility of giving the address of the substituted respondent No.1(d). I find justification in the submission of learned counsel, Mr. Biswas. Under such circumstances, learned counsel, Mr. Deb prayed for two weeks time to take appropriate step for service of notice on respondent No.1(d). Prayer is allowed and the CM Application accordingly stands disposed of.