

(2025) 08 TP CK 0517

In the Tripura High Court

Case No : Interlocutory Application No. 03 Of 2025 In Second Appeal From
Judgment And Decree No. 28 Of 2025

Nandita Datta (Paul) & Another

APPELLANT

Vs

Sikta Datta & Others

RESPONDENT

Date of Decision : 30-08-2025

Acts Referred:

Code Of Civil Procedure, 1908 — Order 1 Rule 10(2)

Citation : (2025) 08 TP CK 0517

Bench : Single Bench

Advocate : S. Datta Purkayastha, J

Final Decision : Dismissed

Judgement

S. Datta Purkayastha, J

Mrs. Pinki Chakraborty, learned counsel submits that respondent No.17, Smt. Santana Bhattacharjee, is already dead and that has been mentioned in the cause title of the memo of appeal as well as in the cause title of the petition for condonation of delay.

A petition under Order 1 Rule 10(2) of CPC is again submitted for deletion of her name from the cause title of both the said memo of appeal and the petition for condonation of delay. It is when both the cases are filed by mentioning that said person is dead, question of deletion of her name from the proceeding does not arise.

Interlocutory application, is accordingly, rejected.