

Case No :CMAppl(FA) 0000013/2015

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Party Name : MOULI BHUSAN BHATTACHARJEE Vs SWARUP BHATTACHARJEE & ORS

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THE HONBLE MR JUSTICE U. B. SAHA

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The instant application is filed by the applicants for setting aside the abatement of FRA 08/2011 as respondent No. 2 died on 11th August, 2014 and on 10th November, 2014 the appeal was abated against the respondent No. 2. Mr. Chakraborty, learned senior counsel submits that the instant application for setting aside the abatement is within time. Mr. Choudhury, learned counsel for the respondent Nos. 3 to 5 also submits that the instant application is within time and the same may be allowed. In view of the above, the abatement of appeal is hereby set aside so far respondent No. 2 is concerned. CM application is accordingly disposed of.