

S/L 3
12.05.2022
Court. No. 50
NKB

FAT 633 of 2015

Nibedita Ghosh
VS
Land Acquisition Collector Malda & Anr.

Ms. Sudipa Ray
Ms. Kakuli Samajpaty

...for the appellant.

It appears from the office report that as per Additional Stamp Reporter's report dated 22.08.2013, the following defects still persist in the instant appeal, namely –

1) The date of award furnished in the head of the certified copy of the impugned judgment differs from that furnished at its foot.

2) The memo of appeal needs to be valued in accordance to the difference of the claim and award.

In so far as defect no.1 is concerned, office is directed to send down the certified copy of the impugned judgement to the Ld. Court below for necessary correction forthwith.

Ld. Court below is directed to retransmit the certified copy of the impugned judgement after necessary correction to the concerned department of the Hon'ble Court within a period of two weeks from the date of receipt of the communication.

Let a copy of this order along with a copy of the office report dated 10.05.2022 be also sent to the Ld. Court below for ready reference and strict compliance.

In so far as defect no.2 is concerned, Ld. Advocate for the appellant-on-record is requested to take necessary steps to cure the defect within a period of two weeks from this date.

If the abovementioned defects are cured within the stipulated period of time, office is directed to proceed in accordance with law.

Contd.....page 2

If the abovementioned defects are not removed within the time framed, office is directed to place the matter before this Lawazima Court after three weeks from this date.

CAN 4/2021

The application for substitution being CAN No. 4/2021 is taken up for hearing.

On plain reading of the substitution application, it appears that the substitution application has been filed on 09.07.2021 consequent to the demise of the sole appellant, who died intestate on 22.04.2021 leaving behind her legal heirs and representatives who are all major and *sui juris*. The application has been filed well within time.

Hence, the substitution application being CAN 4/2021 is allowed.

Let the proposed appellants be substituted in place of the deceased sole appellant.

Office is directed to amend the cause title of the memo of appeal accordingly and to proceed in accordance with law.

(Umesh Singh)
Registrar Administration (L & OM)