

(01)
22.09.2021
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION**

(Via Video Conference)

SA No. 667 of 1961

**Nabadwip Mondal since deceased his
heirs and legal representatives
Sm. Kesori Mondal & ors.
-versus-
Baidyanath Mondal alias Bajnath Mondal & ors.**

None appears on behalf of the parties either
virtually or physically on call.

The office report dated September 21, 2021
says that although the Lower Court Records were
called for but the same has not been received by
the department, instead one letter was received
from the learned Judge-in-Charge, District Record
Room, Malda vide Memo No. 288/R dated July 05,
1978 that the Lower Court Records are not
traceable.

The second appeal is pending from 1961 but
no steps have been taken for disposal of the said
appeal during this long period.

The situation clearly indicates that the
appellants have lost their interest to proceed with
the present appeal.

Therefore, there is no use of making further
efforts to bring the said records in this Court.

SA 667 of 1961 is dismissed for default without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Biswajit Basu, J.)