

S.A. 1724 of 1965
(Via Video Conference)

Mahabir Show & Anr.
-Vs-
Chandra Sekhar Bhattacharjee & Anr.

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

Seen the office report dated August 24, 2021 wherefrom it appears that the appeal is ready as regards service. The Lower Court Records in connection with Title Appeal No. 113/63 and Title Suit Nos.

<u>73/1962</u> <u>286/1960</u>

 have reached and on examination those were found complete. The copies of the Paper Book were filed on February 19, 1974, but the Lower Court Record in connection with Title Appeal No. 95 of 1962 which was directed to be brought by the order dated August 10, 1978, could not be called for as from which Court such record was to be called for was not indicated in the said order.

The appeal is of 1965. During this long period no steps have been taken by the appellants for disposal of the appeal. It is therefore clear that the appellants have lost their interest in pursuing the present Second Appeal.

S.A. 1724 of 1965 is dismissed for default.

There shall be no order for costs.

Department is directed to send down the
Lower Court Records mentioned above
immediately to the concerned Court below.

(Biswajit Basu, J.)