

DL. December
36. 1, 2021

Through Video Conference

F.M.A. 187 of 2017

Re: CAN 11094 OF 2016 (stay)
filed on November 16, 2016.

The appellant is not represented, nor any accommodation is prayed for.

We have perused the order impugned in this appeal. It is an admitted position that the plaintiff is not the owner of the property. The pattas stand in the name of the defendant/respondent. On such consideration, the plaintiff cannot be permitted to pray for partition of the suit property.

The appeal thus, stands dismissed. In view of dismissal of the appeal, nothing remains in the application for stay and the same is also disposed of.

There will be no order as to costs.

(Soumen Sen, J.)

dns

(Ajoy Kumar Mukherjee, J.)