

1 **08.04.2021**
sd

SA 23 of 2007

Ct.9.

Mr. P.K. Banerjee
Ms. Indrani Nandi
Ms. K. Yadav

..For the respondents.

The suit for eviction of licensee filed on behalf of the respondents as plaintiffs before the trial court was decreed by judgment and decree dated 17.06.2003. The judgment of the trial court was challenged in appeal and the appeal was dismissed on contest affirming the judgment and decree passed by the learned trial court by a judgment dated 28.09.2005.

Being aggrieved the appellants filed the memo of appeal being SAT 1476 of 2006 and the appeal was admitted on formulation of substantial questions of law with the direction upon the appellants to call for the LCR and to issue usual notices and interim order of stay was granted against the operation of the judgment passed by the courts' below and proceeding with the Title Execution Case No. 14 of 2003 pending in the court of learned Civil Judge, Junior Division, 2nd Court Hooghly (Sadar) Chinsurah.

None appears on behalf of the appellants although Mr. Banerjee appears on behalf of the respondents to contend that the matter is pending since long without any step being taken by the appellants.

It is also pointed out that appellant no. 1 died on 06.07.2014 but no step has been taken by the appellant to substitute the heirs of deceased appellant no. 1.

Since none appears on behalf of the appellants, the appeal is dismissed.

Interim order, if any, stands vacated.

(Shivakant Prasad, J.)