

39 18.08.2021
AN Ct. No. 04

SA 23 of 2016
SAT 341 of 2013

Maya Bhattacharya
vs.
Tapas Kumar Mondal & anr.

Mr. Kushal Chatterjee ... for appellant

Mr. Chatterjee, learned advocate appears on behalf of appellant and submits, inspite of best efforts he could not get in touch with his clients to seek further instructions in context of order dated 23rd June, 2021, reproduced below:

“The second appeal tender is of year 2013. It has been listed to be moved for admission.

Mr. Chatterjee, learned advocate appears on behalf of appellant and submits, both Courts below have rejected the claim for eviction of defendant/tenant on the ground that his client has caused construction around or without touching the demise. He submits, the construction is in deviation of the sanction plan, which includes construction in the demise, could not be made because of defendant’s occupation. He seeks adjournment to obtain further instructions.

List in monthly list of August, 2021.”

On 9th August, 2021 appellant went unrepresented and today Court is informed that appellant could not be contacted. Mr. Chatterjee seeks and we grant him leave to retire. We are convinced appellant has lost interest.

SA 23 of 2016 is dismissed.

(Arindam Sinha, J.)

(Saugata Bhattacharyya, J.)

