

07.07.2021
Item No. 07
Ct. No. 04
PG

S.A.T. 1035 of 2001
(Via Video Conference)
Nazrul Hoque
Vs.
Riajuddin Sk.

The appeal has been classified as a second appeal on the tender made in year 2001. Additional Stamp Reporter has reported it to be delayed by 3416 days. Certified copy of impugned order in the Misc. Case (Preemption) was not filed.

Sub-section (6) in section 9 of West Bengal Land Reforms Act, 1955 provides for there being order in appeal. No further appeal has been provided under the Act. In addition thereto, the appeal is also not maintainable because section 100 in Code of Civil Procedure, 1908 contemplates appellate decree for purpose of preferring second appeal. None appears on behalf of appellant.

The appeal having had been presented on 29th March, 2001 upon 3416 days delay and bereft of application for condonation of delay, we are convinced appellant was never interested to prosecute.

S.A.T. 1035 of 2001 is dismissed.

(Arindam Sinha, J.)

(Biswajit Basu, J.)