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15-11-2021

FMAT 189 of 2015

Ct. 8

Shree Shree Iswar Sitaram Jew & Anr.
Versus
Satrajit Ganguly alias Shyamal Ganguly & Ors.

(Through Video Conference)

Mr. Jasojeet Mukherjee, Adv.
Mr. Biswajit Kumar, Adv.

...for the respondent no.3

The appellants are not represented even in the second call nor any accommodation is prayed for on their behalf. The appellants were also not represented on the earlier occasion.

Mr. Biswajit Kumar learned Counsel appears on behalf of the respondent no.3, whose appearance was wrongly recorded in the earlier order dated 8th November, 2021 as representing the defendant no.1. On the earlier occasion he contented before us that the suit was dismissed and in support of his submission, today he has produced an order dated 13th January, 2020 passed in Title Suit No. 35403 of 2014 dismissing the suit for default.

In view thereof, the appeal and the application stand dismissed. The order dated 13th January, 2020 is taken on record.

The earlier order dated 8th November, 2021 with regard to appearance of Mr. Kumar shall be corrected accordingly.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)