

27.01.2021
S/L No. 14
Court No.09
s.biswas

SAT 3830 of 2004
With
IA No. CAN 3 of 2008 (Old No. CAN 9863/2008)
CAN 6 2017 (Old No. CAN 9306/2017)

Ranjitmal Kankaria
Vs.
Sabita Pal (Biswas) & Ors.

Mr. Tapan Coomaar Dey
Ms. Shreya Chatterjee

... .. for the plaintiffs/respondents

Affidavit of service filed by the plaintiffs/respondents
be kept with the records.

Re: IA No. CAN 6 of 2017 (Old CAN 9306 of 2017)

A copy of the application has been served on the advocates appearing on behalf of the appellants. But no steps has been taken yet.

The application for abatement of appeal on the death of the sole defendant/appellant Ranjitmal Kankaria on 18th February, 2017 is taken up for consideration.

It is submitted by Mr. Dey, learned advocate appearing for the respondents that the sole appellant expired on February 18, 2017, but no step has been taken for substitution of his heirs and/or legal representatives in place of the deceased appellant, despite the letter given on behalf of the respondents for taking immediate steps for substitution of the same.

Having heard the submissions of the learned advocates appearing for the respondents for abatement of appeal, I am of the view that the appeal by operation of law is

abated. Therefore, there is no necessity for recording of the fact of abatement of the appeal.

Thus, the application being CAN 9306 of 2017 is disposed of.

The interim order, if any, stands vacated.

(Shivakant Prasad, J.)