

14.12.2021
Item No.4
Ct. No.7
CHC

**S.A.T.410 of 2019
(S.A.86 of 2020)
IA NO: CAN/1/2021
(Physical Hearing)**

**Mrs. Asha Devi Shaw & ors.
Vs.
Smt. Kalpana Roy**

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
Mr. Kaustav Bhattacharya
...for the appellants/petitioners

Mr. Debayan Roy
...for the respondent

The CAN application being CAN/1/2021 praying for extension of the interim order granted on 24th August, 2021, is taken up for consideration.

Mr. Mukherjee, learned advocate representing the petitioners/appellants submits that the interim order was granted on 24th August, 2021, which is operative till the end of the month of November, 2021 or until further order which ever is earlier.

It is contended by Mr. Mukherjee that unless the interim order is extended further, the very purpose of the second appeal may be frustrated.

Mr. Debayan Roy, learned advocate appearing for the respondent/opposite party does not dispute with

the grant of the interim order, already made in this case on 24th August, 2021.

Having considered the submission of both sides, the interim order be extended till 8 (eight) weeks after the Winter Vacation with liberty to pray for extension of the interim order in the present appeal.

It appears from the report of the Assistant Registrar dated 9th December, 2021 that requisites i.e. Talabana and notice forms were filed by the appellant on 7th June, 2021, beyond the prescribed period of time. Though it is belated in its submission, but when the same has been filed in the department, the delay in submitting requisites be condoned.

Department to proceed ahead in terms of the requisites already deposited on 7th June, 2021 taking order of this Court.

As regards the defects identified in the lower court records, department is directed to take necessary corrective measures so that the defect identified may be removed shortly taking order of this Court.

With this, the application being CAN/1/2021 stands disposed of.

Matter to appear in the list after the appeal is otherwise made ready for hearing.

(Subhasis Dasgupta, J.)