

(01)
23.03.2022
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION**

SA No. 221 of 1965

**Hawa Bibi & ors.
-versus-
Hajrat Ali & ors.**

None appears on behalf of the appellants on call.
The respondents are also not represented.

Perused the office report dated March 03, 2022 wherefrom it appears that the lower Court records connected with the present second appeal on inspection was found complete. The paper book of the appeal was also filed but on the death of the respondent nos. 1, 4(2) and 7 an application for substitution was taken out and the same is still pending.

Rule being CR 1844s/83 was issued for substitution of the deceased respondent no. 4(2) but the file of the said Rule is not traceable.

The office report suggests that the appellants are no longer interested to proceed with the present appeal.

SA 221 of 1965 is, therefore, dismissed.

Interim order, if there be any, stands vacated.

There shall be no order as to costs.

The department is directed to send down the lower Court records immediately to the learned Court below.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Biswajit Basu, J.)