

Dl. December
34. 16, 2022

F.M.A.T. 63 of 2009

Chitra Maitro & ors.
Vs,
Amaleswar Roy & ors.

The matter appeared in the warning list on November 29, 2022 with a clear indication that the matter would be transferred to the daily cause list on December 5, 2022 before the regular bench. Since then the matter is appearing in the list. The present appeal is of the year 2008.

The present appeal has arisen out of an order passed by the first appellate court remanding the suit to the trial court for re-hearing in the light what has been stated in the body of the judgment.

Today, when the matter is called on, no one has appeared on behalf of the appellant, nor any accommodation is prayed for.

It seems that the appellants are not interested to proceed with the matter. The appeal is, accordingly, dismissed for non-prosecution.

In view of dismissal of the appeal, the connected application filed under CAN 8961 of 2008 also stands dismissed.

There will be no order as to costs.

dns

(Uday Kumar, J.)

(Soumen Sen, J.)