

16.08.2022
Item No.04
Court No.18
AJ.

S.A. 26 of 2009

**I.A. No: CAN 1 of 2008 (old CAN 10812 of 2008)
CAN 2 of 2010 (old CAN 1193 of 2010)
CAN 4 of 2012 (old CAN 8813 of 2012)
CAN 5 of 2015 (old CAN 5345 of 2015)
CAN 7 of 2019 (old CAN 4159 of 2019)
CAN 8 of 2022**

**Sk. Rajab Ali & Anr.
-Vs-
Sk. Ekramul Haque & Ors.**

Mrs. Rima Das.
....for the applicant/appellant no.2.
Mr. Mrityunjoy Goswami,
Mr. Parikshit Goswami.
....for the respondent nos.2 & 3.

In Re: CAN 8 of 2022

This is an application by the applicant/
appellant no. 2 praying dismissal of the instant
appeal for non-prosecution.

Ms. Rima Das, learned advocate appearing
on behalf of the applicant/appellant no.2 submits
that the appellant no.1 has died but his heirs and
legal representatives are also not willing to proceed
with the appeal.

In view of such stand of the applicant/
appellant no.2 and the heirs of the deceased
appellant no.1, S.A. 26 of 2009 is dismissed as not
pressed without any order as to costs.

Interim order, if there be any, stands
vacated.

CAN 8 of 2022 is, thus, disposed of.

In view of the dismissal of the appeal, the connected pending applications, if any, are also dismissed.

The Lower Court Records, if have reached to this Court, the Department is directed to send it down immediately.

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

(Biswajit Basu, J.)