

10.01.2022
KC(16)

F.A. 34 of 2013
Reba Roy
-versus-
Somnath Roy and Ors.
With
CAN 2 of 2013 (Old CAN No. 3647 of 2013)
With
CAN 4 of 2017 (Old CAN No. 11757 of 2017)
With
CAN 5 of 2021
(Not found in file)
(Through Video Conference)

Ms. Malabika Roy Dey.....For the respondent
no. 1.

This application (CAN 5 of 2021) is entertained on the undertaking of learned counsel for the respondent no. 1 that an affidavit of service shall be filed in court in course of today.

The application is disposed of by recording that the appellant expired on 2nd March, 2019. Till date there is no application stating that the right to sue survives in someone else, for recording her death and substitution of her heirs and legal representatives in her place and stead.

The appeal (F.A. 34 of 2013) is thus dismissed with the above observations.

All pending applications [CAN 2 of 2013 (Old CAN No. 3647 of 2013) and CAN 4 of 2017 (Old CAN No. 11757 of 2017)] are disposed of.

(I.P. MUKERJI, J.)

(KAUSIK CHANDA, J.)

