

20.12.2022  
SL No.58  
Court No.8  
(gc)

**SAT 5 of 2010**  
**CAN 1 of 2010 (Old No: CAN 8203 of 2010)**

**Shanti Devi Shaw**  
**Vs.**  
**Astabala Paul & Ors.**

This matter appeared in the Warning List of 29<sup>th</sup> November, 2022 with a clear indication that this matter shall be transferred to the Regular Bench on 5<sup>th</sup> December, 2022. Since then the matter is appearing in the list. The appeal is of the year 2010. The appellant has due notice of the matter. The appellant is not represented.

The appeal is defective as notified by the Additional Stamp Reporter in its report dated 27/01/2010 and thereafter no attempt was made to remove the defects. The Coordinate Bench noticing such defects had passed an order on 10<sup>th</sup> May, 2012 directing the learned Advocate for the appellant to remove the defects by two weeks after the reopening of this Court after summer holidays for the year 2012, in default, put up the matter for final orders.

It appears that no attempt was made by the learned Advocate for the appellant to remove the defects. The matter was never put up before the Bench for final orders, due to non-removal of defects. It seems that the appellant is not interested to proceed with the matter.

The second appeal stands dismissed for non-removal of the defects.

In view of the aforesaid, the connected application also stands dismissed.

However, there shall be no order as to costs.

**(Uday Kumar, J.)**

**(Soumen Sen, J.)**