

23. 21.06.2022
Ct. No.08
Tanmoy

F.M.A. 2671 of 2015

Standard Leather Private Limited
-Versus-
M/s Cascade Commerce Private Limited & Anr.

None appears on behalf of the parties even in the second call.

The appeal is arising out of an order no. 16 dated April 24, 2014, passed in connection with the application under Order VII, Rule 11 of the Code of Civil Procedure read with Order XIV, Rule 2 read with Section 16 and Section 151 of the Code of Civil Procedure. The learned trial Court directed return of the plaint to the plaintiff. It appears that on the earlier occasion also, none of the parties were represented before the co-ordinate Bench and accordingly, the appeal was directed to be listed on July 5, 2021 with the warning, "Last Chance".

In view of the fact that the appellant is not represented even today, we are of the view that the appellant is not interested to proceed with the appeal. The appeal being F.M.A. 2671 of 2015 accordingly stands dismissed for default.

However, there shall be no order as to costs.

Let urgent Photostat certified copies of this order, if applied for, be made available to the parties upon compliance with all necessary formalities.

(Siddhartha Roy Chowdhury, J.)

(Soumen Sen, J.)