

Dl. March 7,
30. 2022

S.A. 118 of 2021

Prabir Kumar Pyne & ors.
Vs.
Kalyani Ghosh & ors.

Mr. Partha Pratim Roy,
Mr. Sarbananda Sanyal,
...for the appellants.

We have heard Mr. Partha Pratim Roy, learned advocate appearing on behalf of the appellants.

It appears that the lower appellant court has reversed the findings of the trial court. However, in the operative portion of the judgment, the lower appellate court has recorded that the appeal is dismissed on contest against the respondents no. 1 to 5 and ex parte against rest of the respondents.

This is an error on the face of the record. The order must conform to the findings. The order is inconsistent with the findings arrived at by the lower appellate court.

Accordingly, we dispose of the appeal being S.A. 118 of 2021 by directing the appellants to approach the lower appellate court for correction in the ordering portion of the judgment dated March 16, 2020 upon notice to the respondents.

There will be no order as to costs.

(Soumen Sen, J.)

dns

(Ajoy Kumar Mukherjee, J.)