

15.02.2022
SL No.76
Court No.8
(gc)

SAT 1064 of 1998

**Anil Kumar Bhattacharjee & Ors.
Vs.
Jayanti Bhattacharjee & Ors.**

(Via Video Conference)

Mr. Anit Kumar Rakshit,
...for the appellants.

The Additional Stamp Reporter on 6th January, 1999 has indicated two defects, namely, (i) non-filing of the certified copies of judgment and decree of the Trial Court dated 4th September, 1993, (ii) non-filing of any formal application stating the fact that the defendant No.1 died after passing the decree of lower Appellate Court and that respondent Nos.1 to 3 have been impleaded in her place. In absence of removal of the first defect, report as to sufficiency of court fees could not be assessed. It appears that no attempt was made to remove the defects as pointed out by the Additional Stamp Reporter on 6th January, 1999. The matter initially appeared on 28th July, 2021 and thereafter on 4th January, 2022. Administrative notices were directed to be issued to Mr. Anit Kumar Rakshit and upon the appellants with a clear indication that in the event the defects are not removed from the date of service of notice or the appellants remain unrepresented, the second appeal

shall be dismissed for non-compliance of all the earlier directions.

Although from the record it appears that service could not be effected upon Mr. Anit Kumar Rakshit, Advocate. However, Mr. Anit Kumar Rakshit appears and submits that he has no knowledge about the said second appeal.

Be that as it may, in view of the non-compliance of our earlier orders, the second appeal stands dismissed.

The learned Registrar Administration (L&OM) is directed to communicate this order to the learned Additional District Judge, 1st Court, Alipore in connection with Title Suit No.144 of 1951 for information and doing the needful.

The department is directed to communicate this order to learned Registrar Administration (L&OM).

(Ajoy Kumar Mukherjee, J.)

(Soumen Sen, J.)