

27.06.2022  
SL No.60  
Court No.8  
(gc)

**FMA 1943 of 2013  
With  
CAN 1 of 2013  
(Old No: CAN 2524 of 2013)**

**Markandey Prasad Gupta & Ors.  
Vs.  
Smt. Shyama Devi Gupta & Ors.**

The appellants are not represented nor any accommodation is prayed for on behalf of the appellants.

We have gone through the order passed by the learned Trial Court.

In view of the fact that the proceeding under the SARFAESI Act has already been initiated, the view expressed by the learned Trial Court does not suffer from any infirmity.

In view thereof, the appeal being FMA 1943 of 2013 stands dismissed.

In view of the dismissal of the appeal, the application being CAN 1 of 2013 (Old No: CAN 2524 of 2013) stands dismissed.

However, there shall be no order as to costs.

The status report is kept with the record.

**(Siddhartha Roy Chowdhury, J.)**

**(Soumen Sen, J.)**