

17.08.2022
SL No.17
Court No.8
(gc)

**FAT 65 of 2013
CAN 2 of 2020 (Old No: CAN 162 of 2020)**

**Awadh Kisore Dubey
Vs.
Vimal J. Bavishi**

Mr. Tanmoy Mukherjee,
Mr. Souvik Das,
Mr. Rudranil Das,
...for the Respondent.

**Re: CAN 2 of 2020
(Old No: CAN 162 of 2020)**

The affidavit of service shows that the learned Advocate representing the appellant has been served with a notice dated 2nd August, 2022 and he had personally received the notice on that date itself.

The appellant has died during the pendency of the appeal. However, no attempt has been made for substitution of the sole appellant. The provision under Order 22 Rule 10A of Code of Civil Procedure has also not been complied with.

Accordingly, the application being CAN 2 of 2020 (Old No: CAN 162 of 2020) stands disposed of.

In view of disposal of the application being CAN 2 of 2020 (Old No: CAN 162 of 2020), the appeal stands dismissed as abated.

All interim orders, if any, stand vacated.

L.C.R., if arrived, shall immediately be sent down by the department to the appropriate Court.

(Siddhartha Roy Chowdhury, J.)

(Soumen Sen, J.)