

**Fazar Ali
Vs.
Alimuddin & Ors.**

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The appeal is of the year 2008. The appeal is defective.

The matter appeared initially on 5th March, 2021 before a coordinate bench when the matter was released due to person ground of one of the judges of the bench. Thereafter no attempt was made to list the matter.

The appeal appeared in the warning list on 29th November, 2022 with a clear indication that the same shall be transferred to the regular list on 5th December, 2022, since then the matter is appearing in the list.

Today the appellant is not represented nor any accommodation is prayed for on behalf of the appellant.

The stamp reporter in his report dated 8th July, 2009 has indicated the nature of defects. One of the defects is that the appeal was filed with insufficient court fees. Till date no attempt is made to put in the deficit court fees within the period of limitation. Admittedly the appeal as on date is time barred. No application has been filed by the appellant for extending the time to put in such deficit court fees till date.

In view thereof, the appeal stands dismissed as time barred.

There will be no order as to costs.

(Uday Kumar,J.)

(Soumen Sen, J.)

