

Item-11		FMAT 283 of 2016
sg	05-01-2022	CAN 1 of 2016 (old CAN 4861 of 2016)
	Ct. 8	Lata Gupta & Ors. Versus Vijay Gupta & Ors. (Through Video Conference)

MR. Soumyen Datta, Adv.
Mr. Pinakibrata Ghosh, Adv.
...for the defendant no.2

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

The appeal is arising out of an order being No.40 dated 17th February, 2016 dismissing the application filed by the appellants under Order 40 Rule 1 read with Section 151 of the Code of Civil Procedure in Title Suit No. 134 of 2013.

The learned Counsel appearing on behalf of the defendant no.2 submits that the suit was dismissed on contest against the defendant no.2 by the 7th Bench, City Civil Court, Calcutta on 13th July, 2018. Photostat copy of the judgment dated 13th July, 2018 passed by the learned Trial Court is produced before us.

In view of the aforesaid, the appeal and the connected application stand dismissed. However, there shall be no order as to costs.

The copy of the judgment dated 13th July, 2018 passed in Title Suit No. 134 of 2013 is kept with the record.

(Ajoy Kumar Mukherjee, J.)

(Soumen Sen, J.)