

**Kalidasi Bhangi
Vs.
Kamala Majhi & Ors.**

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The appeal is of the year 2011. However, no attempt has been made to move this appeal.

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.

The stamp reporter in his report dated 11.8.2011 has notified some defects.

The appeal was dismissed for default on 10.5.2016 and subsequently restored on 31.8.2016. Thereafter no attempt has been made to remove such defects till date.

We have carefully read the judgment of both the courts below. Both the courts arrived at a finding that the suit is required to be dismissed for non-disclosure of cause of action suppression of the material facts. Although, we may not fully agree with the conclusions arrived at by both the courts below but the fact remains that if the prayers are allowed, the same would not give the complete relief to the plaintiff.

Under such circumstances, the appeal stands dismissed at the admission stage.

There will be no order as to costs.

(Uday Kumar,J.)

(Soumen Sen, J.)

