

Dl. December
32. 16, 2022

S.M.A.T. 17 of 2009

Sk. Nurul Islam & ors.
Vs,
Sk. Rahamat & ors.

The matter appeared in the warning list on November 29, 2022 with a clear indication that the matter would be transferred to the daily cause list on December 5, 2022 before the regular bench. Since then the matter is appearing in the list. The present appeal is of the year 2009.

Today, when the matter is called on, no one has appeared on behalf of the appellants, nor any accommodation is prayed for.

It appears from the record that a co-ordinate bench of this court directed the appellant to remove the defect within a week and the matter was directed to appear in the list two weeks hence. Even on that date the appellant did not represent. The office reports that the defects pointed out by the additional stamp reporter have not yet been removed. The appeal is still defective.

Under such circumstances, we dismiss the appeal for non-compliance of the order dated November 1, 2022 and for non-removal of defects.

In view of dismissal of the appeal, the connected application filed under CAN 6138 OF 2011 also stands dismissed.

There will be no order as to costs.

dns

(Uday Kumar, J.)

(Soumen Sen, J.)

