

Item-2. 23-08-2022

FA 204 of 2015
CAN 2 of 2015 (old CAN 5754 of 2019)

sg Ct. 8

Sambhunath Banerjee
Versus
Amulya Kumar Banerjee, since deceased, represented by his legal
heir namely, Smt. Krishna Banerjee & Ors.

Mr. Gazi Faruque Hassain, Adv.
Ms. Priya Nandy, Adv.
Ms. Priyanka Mondal, Adv.
... appellant

Sufficient cause being shown for non-appearance on 30th November, 2018 when the appeal and the connected application were dismissed for default.

The order dated 30th November, 2018 is recalled and the appeal and the connected application are restored to its original files and numbers.

Mr. Gazi Faruque Hassain, learned Advocate appearing on behalf of the appellant, on instruction, has submitted that in view of the settlement arrived at between the parties out of Court, the appellant is not willing to proceed with the appeal.

The original undated letter of instruction by Mr. Sambhunath Banerjee, the appellant, is produced to that effect and the same is taken on record.

Under such circumstances, the appeal and the application stand dismissed for non-prosecution.

Leave is given to Mr. Hassain to file his vakalatnama on behalf of the appellant by tomorrow.

Consequent upon filing of the vakalatnama, the name of the erstwhile advocate-on-record shall stand deleted and substituted

by Mr. Hassain.

LCR, if lying with this Court, may be sent down to the learned court below.

(Siddhartha Roy Chowdhury, J.)

(Soumen Sen, J.)