

Item-44.	21-12-2022	SAT 503 of 2010 CAN 1 of 2010 (old CAN 10039 of 2010)
		Madan Ghosh & Ors.
sg	Ct. 8	Versus Anima Ghosh & Ors.

The matter appeared in the warning list on 29th November, 2022 and thereafter transferred to the regular list on 5th December, 2022. There was a clear indication in the list that the matter shall be transferred to the daily cause list on 5th December, 2022 and since then the appeal is appearing in the list.

We find from record that on 25th February, 2011 a coordinate Bench upon noticing the report filed by the Stamp Reporter directed the appellants to file fresh vakalatnama by three weeks from that date, in default, put up for final order.

Curiously this matter did not appear since then in spite of direction passed by the co-ordinate Bench.

The Department in the report dated 20-12-2022 has reported that the defect has not yet been removed. Unless the said defect is removed, the appeal cannot be taken on record.

Accordingly, the appeal stands dismissed for non-removal of the defect as pointed out by the Stamp Reporter dated 13-12-2010.

In view of the dismissal of the appeal, the application stands also dismissed.

(Uday Kumar, J.)

(Soumen Sen, J.)