

Item-
139. 20-12-2022

FMAT 1599 of 2013
CAN 1 of 2014 (old CAN 571 of 2014)

sg Ct. 8 Bijoy Patra
Versus
Ashita Patra

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.

The appeal is of the year 2013.

There is a delay of 168 days in presenting the memorandum of appeal. None appears in support the said application.

There was an earlier direction on 22nd August, 2014 for service of the application upon the respondent/opposite party. There is nothing on record to show whether the service was effected.

Under such circumstances, CAN 1 of 2014 (old CAN 571 of 2014) stands dismissed for default.

In view of the aforesaid dismissal, the appeal stands dismissed as time barred.

(Uday Kumar, J.)

(Soumen Sen, J.)