

23.08.2022

Item No.17

Court No.18

AJ.

S.A. 103 of 2006

I.A. No. C.A.N. 1 of 2001 (old CAN 4710 of 2001)

C.A.N. 3 of 2002 (old CAN 6607 of 2002)

C.A.N. 4 of 2003 (old CAN 5466 of 2003)

C.A.N. 5 of 2003 (old CAN 7799 of 2003)

C.A.N. 6 of 2021

Sri Sunil Kumar Bhuniya alias Bhowmik & Ors.

-Vs-

Sri Bishnu Pada Manna & Ors.

Mr. Arnab Roy,

Mr. Satyam Mukherjee,

Ms. Sayani Ahmed.

...for the respondents/applicants.

In Re: C.A.N. 6 of 2021

Affidavit of service filed by Mr. Roy, be kept with the record.

None appears on behalf of the appellants/ opposite parties in spite of service.

The application although is appearing in the list but not on record, as such, the copy of the application supplied by Mr. Roy be kept with the record and be treated as the original.

This is an application filed by the heirs and legal representatives of the deceased plaintiffs/ respondent nos.1 and 2 praying their addition in the present appeal.

The respondent no.1 has died on January 31, 2018 and respondent no.2 has died on January 13, 2019, no steps have been taken by the appellants to bring the heirs and legal representatives of the said deceased respondents

on record of the present second appeal, as a consequence, the appeal has already abated.

The application for addition of party in an abated appeal is a misconceived application.

CAN 6 of 2021 is dismissed as such without any order as to costs.

I.A. No. C.A.N. 1 of 2001 (old CAN 4710 of 2001)

C.A.N. 3 of 2002 (old CAN 6607 of 2002)

C.A.N. 4 of 2003 (old CAN 5466 of 2003)

C.A.N. 5 of 2003 (old CAN 7799 of 2003)

The applications although are appearing in the list but have already been disposed of, as such no further order need be passed on the applications.

In Re : S.A. 103 of 2006

The appeal being S.A. 103 of 2006 is dismissed as abated without any order as to costs. Interim orders, if there be any, stand vacated.

The Lower Court Records be sent down to the Court below immediately.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)