

20.9.2023
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Ct. no. 652
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**SA 265 of 2006
With
CAN 2 of 2017 (Old CAN 11081 of 2017)**

**Abdul Hannan @ Sekh Hannan
Vs.
Basiruddin Ahmed & Anr.**

Mr. Partha Pratim Roy
Ms. Poulami Chakraborty ...for the respondents

Re: CAN 2 of 2017 (Old CAN 11081 of 2017)

This is an application for recording of abatement of the instant appeal. It is submitted on behalf of the respondents that during pendency of the second appeal, sole appellant namely, Abdul Hannan @ Sekh Hannan died intestate on 16.5.2017 and since then, no steps have been taken for substitution of the legal heirs of the deceased appellant and as such the aforesaid appeal by operation of law, stands abated as a whole.

In such view of the matter, let formal order be recorded that the second appeal be abated as a whole.

CAN 2 of 2017 (Old CAN 11081 of 2017) is accordingly disposed of.

(Ajoy Kumar Mukherjee, J.)