

D/L
Item No. 15
18.12.2023
KOLE

**FAT 253 of 2019
with
IA CAN 1 of 2023
with
IA CAN 2 of 2023
with
IA CAN 3 of 2023**

**Shrimati Nupur Saha & Ors.
-Vs.-
Lakshman Chandra Saha & Ors.**

*Mr. Debasish Roy,
Mr. Debnath Mahata,*

...for the appellants.

Mr. Arnab Dutt,

...for the respondents.

In Re: CAN 1 of 2023

This is an application for condonation of delay of 18 days in presenting the appeal as noted by the Additional Stamp Reporter.

Causes shown being sufficient, we condone the delay.

The application for condonation of delay is, thus, allowed.

IA CAN No. 1 of 2023 is disposed of.

In Re: CAN 2 of 2023

This is an application for recording the death of the first appellant who passed away after filing of the appeal. We are told that the legal heirs of the deceased appellant are already on record.

This application is, thus, allowed.

IA No. CAN 2 of 2023 is disposed of.

In Re: CAN 3 of 2023

This is an application for recording the death of the respondent nos. 2 and 3 who passed away after filing of the appeal, and for bringing on record their legal heirs.

There is no reason not to allow this application. The application is, thus, allowed.

Let the names of the respondent nos. 2 and 3 be stuck off from the array of respondents and the names of their legal heirs, as recorded in the application, be brought on record. Let the Department carry out necessary amendment within a fortnight from date.

IA No. CAN 3 of 2023 is disposed of.

IN Re: FAT 253 of 2019:

Learned Advocates for the parties say that the matter has been settled out of court. Hence, there is no necessity of proceeding with this appeal.

The appeal, accordingly, stands disposed of.

Written instructions received by learned Advocates for the respective parties be kept with the records.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Arijit Banerjee, J.)

(Supratim Bhattacharya, J.)