

28.04.2023
SL No.14
Court No.8
(gc)

SAT 231 of 2015

Kanchan Bhuimali & Anr.

Vs.

Sumitra Bhumali & Ors.

The appellants are not represented, nor any accommodation is prayed for on behalf of the appellants. The appeal is of the year 2015. The matter initially appeared in the Warning List on 6th March, 2023 and thereafter transferred to the Regular List on 21st March, 2023. Since then the matter is appearing in the list. The appellants have due notice about the listing of the matter.

We have read the judgment of the Trial Court as well as the First Appellate Court and the grounds of appeal in order to find out whether the second appeal involves any substantial question of law.

The appellate judgment and decree dated 20.12.2014 and 06.01.2015 affirming the judgment and decree dated 28.06.2013 and 04.07.2013 passed by the Trial Court in a suit for declaration and mandatory injunction is a subject matter of challenge in this second appeal. Both the Courts on the basis of the oral and documentary evidence have arrived at a finding that the plaintiff is not the legally married of Sushil Bhuimali.

The concurrent findings of facts based on cogent evidence does not call for any interference.

Accordingly, the second appeal stands dismissed at the admission stage.

However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)