

28.04.2023
SL No.17
Court No.8
(gc)

SAT 239 of 2015
CAN 1 of 2015 (Old No: CAN 5138 of 2015)

Ramendra Nath Chowdhury & Ors.
Vs.
Nihar Ranjan Ghosh & 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. The appeal is still defective.

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 27th February, 2015 affirming the judgment and decree dated 30th July, 2010 passed by the Trial Court in an ejectment suit is a subject matter of consideration in this second appeal. Both the Courts have come to a clear finding that the plaintiffs were able to prove reasonable requirement.

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

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

In view of dismissal of the second appeal at the admission stage, the connected application also stands dismissed.

However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)