

08.05.2023
SL No.27
Court No.8
(gc)

SAT 283 of 2015

**Sambhu Das & Ors.
Vs.
Bablu Das & 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 defective since 23rd June, 2015. The defects are minor in nature and hence ignored.

The appellate judgment and decree dated 24th July, 2014 affirming the judgment and decree dated 27th February, 2012 and 16th March, 2012 passed by the Trial Court in a suit for declaration of title is a subject matter of challenge in this second appeal.

We have carefully read the judgment of both the Courts. The challenge was with regard to the execution of a deed of gift. Both the Courts have arrived at a finding that the deed was executed and registered by the donor freely and voluntarily. Both the Courts have elaborately discussed the evidence by which the deed of gift was proved.

We do not find any perversity in the said finding.

The second appeal fails.

Accordingly, the second appeal being SAT 283 of 2015 stands dismissed at the admission stage.

However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)