

Item-18.	03-05-2023	SAT 284 of 2015 CAN 1 of 2015 (old CAN 5825 of 2015) CAN 2 of 2016 (old CAN 923 of 2016)
sg	Ct. 8	Madan Mohan Modak, since deceased, represented by his heirs and legal representatives, namely, Aloke Kumar Modak & Ors. Versus Subimal Prakash Halder

CAN 2 of 2016 (old CAN 923 of 2016) being the application for substitution is appearing in the list by mistake. The application was disposed of by the learned Registrar (Administration) on 7th July, 2017.

The Computer Section department shall make appropriate endorsement to that effect and the application shall not be shown as pending.

In Re: SAT 284 of 2015 with CAN 1 of 2015
(old CAN 5825 of 2015)

The appellants are not represented nor any accommodation is prayed for on behalf of the appellants.

The matter initially appeared in the warning list on 6th March, 2023 and thereafter transferred to the regular list on 21st March, 2023. There was a clear indication in the list that the matter shall be transferred to the daily cause list on 21st March, 2023 and since then, the appeal is appearing in the list. In spite of having due notice and knowledge that the matter is pending, the appellants are not represented.

As on date, by reason of Section 2(g) of the West Bengal Premises Tenancy Act, 1997, the appellants have no locus to stay in the suit property.

We dismiss the second appeal at the admission stage since it does not have any substantial question of law. In any event, we have carefully read the judgments of the Trial Court as well as the First Appellate Court and there cannot be any doubt that there was sufficient evidence to show that the plaintiffs require the property for reasonable requirement.

The appeal stands dismissed.

In view of the dismissal of the appeal, the stay application being CAN 1 of 2015 (old CAN 5825 of 2015) stands also dismissed.

(Uday Kumar, J.)

(Soumen Sen, J.)