

19.01.2023
SL No.46
Court No.8
(gc)

SAT 279 of 2016
CAN 1 of 2016 (Old No: CAN 6727 of 2016)

Dr. Nazir Musrafa
Vs.
Dr. Mollah Haseeb Ashan & Anr.

This matter appeared in the Warning List of 29th November, 2022 with a clear indication that this matter shall be transferred to the Regular List on 5th December, 2022. Since then the matter is appearing in the list. The appeal is of the year 2016.

All the defects have not been cured. One of the defects is deficit court fees deposited beyond the period of limitation. Although the application for condonation of delay in preferring the appeal was allowed but no separate application is filed for acceptance of the said amount beyond the period of limitation. The revised report dated 19th April, 2017 has clearly stated the aforesaid fact. Moreover, in spite of having notice, the appellant is not represented to move the second appeal for admission.

Under such circumstances, the second appeal stands dismissed for non-removal of the defects with regard to the acceptance of the deficit court fees and for non-appearance.

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

However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)