

10.02.2023
SL No.37
Court No.8
(gc)

**FAT 178 of 2022
CAN 1 of 2022
CAN 2 of 2022**

**National Insurance Company Ltd. & Anr.
Vs.
Lakshmi Kanta Pal & Anr.**

The appellants are not represented.

The appeal is defective since 20th July, 2022. It appears from the S.R.'s report dated 05.08.2022 that the following defects persist in the instant appeal:-

- 1) The memo of appeal needs to be classified in words as one preferred from "Original decree".
- 2) Proper Court Fees being Rs.26980/- the instant appeal is preferred with Court Fees of Rs.400/- only, leaving a deficit of Rs.26580/-.

By reason of non-payment of the deficit court fees by this time, the appeal has now become time-barred. The appellants, in fact, did not make any attempt to remove the defects.

Moreover, by reason of not putting in the deficit court fees as on date, it would be accepted unless condoned by the Court. No application has been filed for condonation of delay and for acceptance of deficit court fees.

It appears that none had appeared before the Registrar Administration (L&OM) on 05.01.2023 when

this matter was listed before the Registrar Administration (L&OM) for appropriate order.

Under such circumstances, the appeal stands dismissed.

In view of dismissal of the appeal, the connected applications also stand dismissed.

However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)