

10.02.2023
SL No.38
Court No.8
(gc)

**FAT 192 of 2022
CAN 1 of 2022**

**Mou Das Nee Bose
Vs.
Mana Das**

The appellant is not represented.

The appeal is defective since 23rd August, 2022. It appears from the S.R.'s report dated 23.08.2022 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.100/-, the instant appeal is preferred with Court Fees of Rs.80/- only, leaving a deficit of Rs.20/-.
- 3) The certified copies of the Decree of the Ld. Trial Court have not been filed with the memo of appeal, the names of the parties could not be verified.

By reason of non-payment of the deficit court fees by this time, the appeal has now become time-barred. The appellant, 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 application also stands dismissed.

However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)