

Item- 13-01-2023
5.
sg Ct. 8

SAT 366 of 2015
CAN 1 of 2016 (old CAN 6124 of 2016)
CAN 2 of 2016 (old CAN 6489 of 2016)

UCO Bank & Ors.
Versus
Aloke Kumar Saha

The matter initially appeared in the warning list on 29th November, 2022 and thereafter transferred to the regular list on 5th December, 2022. There was a clear indication in the list that the matter shall be transferred to the daily cause list on 5th December, 2022 and since then the appeal is appearing in the list.

In spite of having sufficient knowledge, the appellants are not represented.

There is a delay of 286 days in putting the deficit court fees. The appeal was preferred with insufficient court fees on 24th July, 2015. The deficit court fee was deposited on 1st July, 2016 without the leave of the Court.

The appellants are not represented. No attempt was made on behalf of the appellants to move the application for condonation of delay.

Under such circumstances, the application for condonation of delay is dismissed for default.

In view thereof, the appeal and the stay petition stand dismissed as time barred.

(Uday Kumar, J.)

(Soumen Sen, J.)