

06.01.2023
SL No.10
Court No.8
(gc)

SAT 290 of 2014
CAN 1 of 2015 (Old No: CAN 9636 of 2015)

Pradip Halder & Ors.
Vs.
Somnath Garai & 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 appellants have due notice of the matter. The appellants are not represented.

By a previous order dated 30th October, 2017, the appellants were permitted to remove the defects as notified in the report of the Additional Stamp Reporter. The report filed by the Section Officer/Superintendent (S.R. Section) dated 3rd January, 2023 shows that the defects pointed out by the Additional Stamp Reporter in its report dated 8th August, 2014 has not been removed. It appears that one of the defects pointed out was payment of deficit court fees. Till date, the entire court fees have not been paid. As on date, it would be time-barred.

Under such circumstances, we dismiss this second appeal for non-removal of the defects as pointed out by the Additional Stamp Reporter in its report dated 8th

August, 2014 and also on the ground that the appeal has now become time-barred.

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

(Uday Kumar, J.)

(Soumen Sen, J.)