

10 17.01.2023
AN Ct. No. 08

FMAT 1047 of 2015

Md. Samiullah & ors.
vs.
The Board of Auqaf, W.B. & ors.

The appeal is of the year 2015. The appeal is defective. There is a delay of 138 days in filing the appeal. On 15.11.2021, the matter was adjourned permitting the appellants to remove the defects. Thereafter, the matter appeared in the Warning List of cases since 29.11.2022 until it was transferred to the regular list on 05.12.2022 and since then the matter is appearing in the list. The appellant is served due notice about the pendency of the appeal which clearly shows that the appellant is not interested to proceed with the appeal. No steps have been taken to remove the defects either.

Inspite of having sufficient notice, no attempt has been made by the appellant to remove the defects. In view of the report of the Stamp Reporter dated 21.09.2015 and having regard to the fact that no application has been filed for condonation of delay, the appeal stands **dismissed** as time barred and for non removal of the defects.

(Uday Kumar, J.)

(Soumen Sen, J.)