

13 17.01.2023
AN Ct. No. 08

FMAT 1135 of 2015

Niranjan Sen
vs.
Amalendu Sen & ors.

The appeal is of the year 2015. The appeal is defective. In spite of earlier order dated 15.11.2021, no attempt has been made by the appellant to cure the defects.

This matter was appearing 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.

In spite of sufficient notice no one is represented on behalf of the appellant even today to file application for condonation of delay. In view of the report filed by the Stamp Reporter dated 06.10.2015 indicating various defects, which inter alia includes delay in filing of the appeal by 37 days.

The appeal stands dismissed as time barred and for non-removal of defects.

(Uday Kumar, J.)

(Soumen Sen, J.)

