

16.02.2023  
SL No.54  
Court No.8  
(gc)

**FMAT (ARBAWARD) 65 of 2022**  
**CAN 1 of 2022**  
**CAN 2 of 2022 (not in file)**  
**CAN 3 of 2022**

**Shambhu Chaudhari**  
**Vs.**  
**Chola Mandalam Investment & Finance Co. Ltd.**

The appellant is not represented, nor any accommodation is prayed for on behalf of the appellant.

The appeal is defective since 13<sup>th</sup> December, 2022. There are two defects reported by the Stamp Reporter, namely:-

- 1) Delay of 17 days.
- 2) Deficit court fees of Rs.420/-.

It appears that the appellant has filed an application on 8<sup>th</sup> December, 2022 for condonation of delay. However, no application has been filed for extension of time to put in the deficit court fees. It appears that on 6<sup>th</sup> January, 2023, the matter appeared before the Registrar Administration (L&OM) when none had appeared on behalf of the appellant. In spite of notice, the appeal was presented with deficit court fees and no attempt has been made to put in the deficit court fees either within the period of limitation or beyond the period of limitation. The time to put in the deficit court fees has expired.

Under such circumstances, we dismissed this appeal for non-payment of deficit court fees.

In view of dismissal of the appeal, the connected applications also stand dismissed.

Interim order, if any, stands vacated.

L.C.R., if arrived, be sent down to the appropriate Court.

**(Uday Kumar, J.)**

**(Soumen Sen, J.)**