

19.6.2023

ct. 236

sk,sl. 4

C.O. 3365 of 2014

Balak Sangha- vs-Amar Nath Shaw & Ors.

Mr. Suhrid Sur

...for the opposite party no.2.

Mr. Suhrid Sur, learned counsel representing the opposite party no.2 produces a photocopy of death certificate issued by Kolkata Municipal Corporation indicating that Goutam Kr. Ghosh who represented the petitioner club died on 7th October, 2020. No petition has been taken out for substitution, though right of sue survives.

The photocopy of the death registration details is taken on record.

On 9th June, 2023 none appears on behalf of the Club. Today also Balak Sangha remains unrepresented. This conduct speaks of lack of interest of the petitioner to proceed with the suit. Petition stands dismissed for default.

Consequently the order of stay stands vacated.

Let a copy of this order be sent down to the learned trial court forthwith.

(Siddhartha Roy Chowdhury, J)