

31.07.2023
Court No.13
Item No.6
AP

SAT 445 of 2014
With
IA NO: CAN 1 of 2014 (Old No: CAN 10532 of 2014)
With
CAN 2 of 2014 (Old No: CAN 10534 of 2014)

Bibhuti Sarkar & Ors.

Vs.

Arun Biswas & Ors.

1. The appeal is directed against a judgment and/or order dated 30th June, 2014 passed by the learned Civil Judge (Senior Division), Islampore in Title Appeal No.26 of 2009 and that was heard along with Title Appeal No.37 of 2009.

2. By the impugned judgment the decision of the Civil Judge (Junior Division), Islampore dated 21st May, 2009 in Title Suit No.3 of 2003 has been affirmed. The First Court had decreed the suit ex parte and a declaration was issued that the plaintiff has got substantial interest over the scheduled lands by the reason of a Patta vide Serial No.17 being CR No - 3/RS-KDI/96-97 as well LR Khatian No.342. It was further declared that the defendants have no right in respect of the suit land whatsoever.

3. Mr. Partha Sarathi Bhattacharyya, learned senior counsel appearing for the appellants has submitted that he has received instructions over the telephone from his client not to represent them in the matter any further.

4. There is no one to support the appeal.

5. Hence, SAT 445 of 2014 is dismissed. The judgment dated 21st May, 2009 passed by the learned Civil Judge (Junior Division), Islampore in Title Suit No.3 of 2003 is affirmed.

6. In view of the dismissal of SAT 445 of 2014, all connected applications shall stand disposed of without any orders.

7. Interim orders, if any, shall stand vacated.

8. There shall be no order as to costs.

9. All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)

(Supratim Bhattacharya, J.)