

19.12.2024
(D/L 10)
Ct.-19
(Susanta/Samar)

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION

S.A. 53 of 1994

(Assigned)

With

CAN 1 of 2001

(Old CAN 2427 of 2001)

(Application not in the file)

M/s. Caxton & Company

-Vs-

Sri Himadri Narayan Roy & Anr.

None appears on behalf of the parties on call.

It appears from the departmental report dated May 22, 2024 that the appeal is not ready as regards service of notice, and the department has received trial court record on March 30, 1994 but the same is not traceable.

The appeal is pending since 1993, no steps have been taken by the appellant to get the matter ready for disposal.

It is, therefore, presumed that the appellant has lost its interest to proceed with the matter.

SA 53 of 1994 along with the connected application, being CAN 1 of 2001 (Old CAN 2427 of 2001) are therefore dismissed for default without any order as to costs. Interim order, if there be any, stands vacated.

The department is directed to trace the said trial court records and send it to the Court below immediately.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)