

179 26.7.2024
Sc Ct. no.2

SA 545 OF 1994
With
I.A. No. CAN 1 OF 1997
(Old No. CAN 1749 OF 1997)
With
I.A. No. CAN 2 OF 1997
(Old No. CAN 5809 OF 1997)
With
I.A. No. CAN 3 OF 2002
(Old No. CAN 4659 OF 2002)

Narayan Chandra Paul
Vs.
Sanat Kumar Sen

None appears for the parties.

The report of the department dated **June 10, 2024** shows that, in view of the death of the sole appellant, the appeal stood abated on July 4, 2000.

On perusal of the said report, this Court is of the firm view that, in any event the statutory period for setting aside of abatement in law stood extinguished at least about more than twenty years back.

In view of the above, the appeal stands abated.

In effect, this second appeal being **S.A. 545 of 1994** stands **dismissed as abated**.

The lower court records are directed to be sent back to the appropriate jurisdictional Civil Court positively within a period of **six weeks** from date.

(Aniruddha Roy, J.)