

19.12.2024
(D/L 13)
Ct.-19
(Susanta/Samar)

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION

S.A. 66 of 1994

(Assigned)

Nemai Lal Chowdhury & Ors.

-Vs-

Smt. Biraj Mohini Bhattacharyay since
deceased, her heirs and legal
representatives Gopal Chandra
Bhattacharjee & Ors.

None appears on behalf of the parties on call.

It appears from the departmental report dated May 22, 2024 that the appeal is ready as regards service of notice and the department though has received trial court record on May 18, 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 heard.

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

SA 66 of 1994 along with the connected application, if any, is 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.)