

ASR 136.
Ct. no. 24.
29.11.2024

SA 2 of 1990

**Mohammad Sayeed Sk.
Vs.
Muluk Chand Sk.**

Mr. Probal Mukherjee
Mr. Abdur Rakib
Mr. Biswajit Sarkar

....For the Respondent

In pursuance of the direction of this court dated 20th July, 2023, the learned counsel for the respondent has served notice upon the learned Advocate on record for the appellant regarding the fixing of the date of hearing of the instant appeal.

None appears on behalf of the appellant.

Learned counsel appearing on behalf of the respondent submits that the instant appeal is pending since long due to the laches on behalf of the appellant.

Learned counsel also pointed out the last paragraph observed by this court dated 20th July, 2023.

Heard the learned counsel for the respondent.

It appears from the record that on the earlier occasion also the appellant did not turn.

Considering the situation it appears to me that the appellant is not at all intending to proceed further with this matter.

Under the above observation, the instant appeal is dismissed for default.

Judgement and decree under appeal is hereby affirmed.

L.C.R. be sent down at once to the learned Trial court.

The appeal (S.A. 2 of 1990) is disposed of.

Affidavit of service filed on behalf of the petitioner is taken on record.

[Subhendu Samanta, J]