

Items 3. 28-11-2024

sg Ct. 37

**In The High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side
Commercial Division**

**FMAT 171 of 2020
CAN 1 of 2020 (old CAN 1981 of 2020)**

Astasesh Co-operative Housing Society Ltd.
Versus
JSR Infrastructure Private Limited

1. The appellant is not represented nor any accommodation is prayed for on behalf of the appellant. The defects, although formal in nature, have not been removed till date. The record shows that the appellant has remained unrepresented since 14th December, 2020.

2. The appeal is arising out of an order dated 13th December, 2019 passed by the learned Judge, Commercial Court, Rajarhat, North 24 Parganas in Misc. Case No. 64 of 2018 (renumbered as Misc. Case 18/2019 (C.C.) dismissing the said Misc. Case for default.

3. The said order is not appealable. The proper course would have been to approach the learned Commercial Court for recalling of the said order.

4. On such consideration, the appeal and the connected application are dismissed.

(Soumen Sen, J.)

(Biswaroop Chowdhury, J.)