

15.04.2024
Crt. No.21
Item No.45
KB

**S.A. 132 of 2019
with
IA No.CAN 1of 2019
(Old No. CAN 1749 of 2019)
with
IA No. CAN 5 of 2021**

**Sri Anil Kumar Gupta
Versus
Sri Rajesh Agarwal & Anr.**

Mrs. Priyanka Jana
... For the appellant.

Mr. Aniruddha Chatterjee
Mr. Avirup Chatterjee
Mr. Rishov Das
... For the respondents.

The matter is taken up for hearing.

On going through the order sheet, it transpires that Mrs. Priyanka Jana had last represented the appellant on 7th of March, 2024 and since then the appellant has not been represented.

Today, Mrs. Jana appears and submits that she is unable to contact the appellant.

The learned counsel representing the respondents submits that as per instruction the appellant has paid occupational charge of Rs.32,500/- per month till December, 2023 and since then has not paid and prays for dismissing the instant appeal.

In such circumstance, the appeal is **dismissed**.

Interim order, if any, stand vacated.

Let the record of the trial court and the first appellate court be sent back.

All parties to act in terms of a copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Supratim Bhattacharya, J.)