

10.12. 2024
item No.10
n.b.
ct. no. 24

SA 620 of 2008

with

IA No. CAN 2 of 2008(Old NO. CAN 8488 of 2008)

Srikanta Kumar Bera

Vs.

Ananta Kumar Bera & Ors.

Mr. Iftekam Munshi,
Mr. T. K. Mahapatra,
Mr. Oishik Chatterjee
..... for the appellant.

Mr. Oishik Chatterjee, learned advocate appearing on behalf of the appellant submits that Mr. T. K. Mahapatra, learned advocate on record for the appellant has received an intimation/instruction from the appellant of this matter that the appellant is not intending to proceed further with this matter.

Mr. Oishik Chatterjee, learned advocate submits that necessary order may be passed. Mr. Chatterjee has handed over written instruction of the appellant. Let the written instruction of the appellant be taken on record.

Having heard learned advocate for the appellant also perusing the written instruction, it appears to me that there is no legal impediment to dispose of the second appeal for non-prosecution.

Hence, it is ordered that the instant second appeal be and the same is hereby dismissed as not pressed.

Decree under appeal by the first appellate court is hereby affirmed.

The TCR if received be send down at once to the learned Trial Court.

Parties are at leave to receive back their original documents by submitting certified copy of the same before the Trial Court accordingly.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)