

**02.07.2024**  
**sayandeep**  
**Sl. No. 01**  
**Ct. No. 08**

**FA 73 of 1995**  
**With**  
**CAN 1 of 2023, CAN 2 of 2024**

Smt. Rina Das & ors.  
Vs.  
Bhabatosh Banerjee

Mr. Avishek Guha  
Mr. Ankush Majumdar  
... for the applicant (CAN 2 of  
2024)

Affidavit-of-service filed today be kept with the  
record.

The aforesaid two applications have been taken  
out by the heirs of the sole respondent for bringing to  
the notice of this Court that the sole respondent expired  
on 26.09.2021. There is no application bringing the  
heirs and legal representatives of the sole respondent.  
The instant application is taken out only for the  
purpose of recording the death of the sole respondent so  
that the Court may record an abatement.

Since the substitution of the legal representatives  
have not been made by the appellants, the appeal is  
dismissed as abated.

Interim order, if there by any, stands vacated.

Both the applications being CAN 1 of 2023 and  
CAN 2 of 2024 are disposed of.

**(Harish Tandon, J.)**

**(Prasenjit Biswas, J.)**