

10.12.2025

Item no.DL 4
Court No. 39

Asraf, A.R.(Ct.)

In the High Court at Calcutta

Civil Appellate Jurisdiction

Appellate Side

Case No.

SA 63 of 1968

In the matter of :

PURANMALL AGARWALLA

.... Appellant

VS.

M/S. BADRINARAYAN RAMESWARALAL

....Respondent

This matter on being assigned to this Bench was brought into the list and an order for issuing administrative notice was passed. The department has taken steps and has issued the administrative notice.

In most of the cases, due to non-availability of the address of the concerned advocate, administrative notice could not be issued on them. On perusal of the records, it appears that the address of the concerned advocate(s) only mentioned about the bar association room without any specific address or details.

The administrative notices issued to appellant(s) and the respondent(s) have not come back undelivered despite lapse of a considerable period of time. It is to be presumed under the provisions of Section 27 of the General Clauses Act, 1897 that the articles have been delivered.

No one appears either to support or oppose the appeal. It appears that the appellant(s) are not interested to proceed with the appeal and the respondents are also not eager to oppose as the appeal has become infructuous with the passage of time.

The second appeal is of the year 1968. The same is, accordingly, **dismissed** on the ground that no one is interested in proceeding or opposing the appeal and the appeal has become infructuous with the long passage of time.

Let the Trial Court Records, if any, be returned to the concerned Trial Court with a copy of this order.

It will be open to the appellant(s) to seek for return of the original certified copy upon completion of necessary formalities.

(Arindam Mukherjee, J.)