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F.A. 166 of 2018

Ct. No. 04

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**Chanchal Ghosh & Anr.
Vs.
Sri Sasanka Nath Chandra.**

**Mr. Arnab Roy,
Mr. Satyam Mukherjee.
... for the appellants.**

We have noticed in course of hearing of the instant matter that the paper books are not received by the Department, as the time to file the same has elapsed in the meantime.

The concerned officer of the Paper Book Department was called on and it has been brought to our notice that while accepting the paper book to be filed by the respective parties, the order sheet is not ordinarily available with them and, therefore, there is no question of refusal to accept the same.

However, the learned Advocate appearing for the appellants insist that there was a refusal for which we feel that a direction is required to be passed.

Our attention is drawn to an order dated 29th June, 2016, wherein it is indicated that if there is an illegible document included in the paper book, the office shall not accept the same unless the document annexed thereto is legible.

In recent times there has been a stark departure from the Appellate Side Rules, as the Court directs the parties to file informal paper book in the Department without following the rigor of all procedures required therefor; obviously the photocopy of the documents are annexed with the paper book without being verified and/or checked, as it is regarded as informal paper book and, therefore, there is no impediment on the part of the Department to accept such paper book in order

to expedite the hearing of the appeals and to secure early disposal thereof.

However, Department is directed to put note in the file that which documents included in the paper book are not legible to be taken note of by the concerned Bench and appropriate direction is required to be passed thereupon.

The aforesaid order is passed to ensure strict compliance thereof by the Department.

The appellants are permitted to file the paper books in course of this day.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)