

7th July,
2025
(AK)
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F.M.A. 115 of 2023

Asit Baran Mitra
Vs.
Amiya Kumar Mitra and others

Mr. Koushik Roy

...for the appellant.

1. Learned counsel for the appellant submits that despite repeated efforts, the learned Advocate for the appellant could not get instructions from the appellant to move the appeal.
2. We also find from the order dated June 9, 2025 that although steps were directed to be taken by the appellant for bringing the heirs of the deceased respondent no.1 on record, nothing in that regard has been done as yet.
3. In any event, the appeal has abated insofar as the respondent no.1- Amiya Kumar Mitra is concerned.
4. Accordingly, FMA 115 of 2023 is dismissed for non-prosecution as against the other respondents.
5. Interim order, if any, stands vacated.
6. There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)