

**IN THE HIGH COURT AT CALCUTTA
Criminal Appellate Jurisdiction
Appellate Side**

CRA 122 of 1995

In the Matter of: **Shri P.K.Sur**

.... Appellant

Mr. Arindam Sen ... for the K.M.C.

Mr. Karan Bapuli ... for the State

1. In pursuance of the direction passed by this Court a report is submitted by the department indicating that the direction passed by this Court dated 10.6.2025, has been duly communicated to the appellant.
2. Nobody appears on behalf of the appellant.
3. Mr. Arindam Sen, learned Advocate, who usually appears to represent the Kolkata Municipal Corporation is requested to represent the Kolkata Municipal Corporation, in this case. His appointment may be regularized by the concerned department.
4. The said report also indicates that during pendency of this appeal the accused –respondent Sawarmal Agarwala @ Sanwarmal Agarwala has been expired during pendency of this appeal. A photocopy of certificate of death of the said respondent –accused was collected and tagged with the report which also affirms the death of the said respondent-accused Sawarmal Agarwala @ Sanwarmal Agarwala.
5. As the respondent has already been expired, during pendency of the appeal, the instant appeal stands abated against him.
6. The instant appeal is preferred at the behest of the Kolkata Municipal Corporation, challenging the impugned judgement and order of acquittal passed by the learned Trial Court dated June 5, 1995. I perused the impugned judgement and order passed by the learned Trial Court and I find nothing material to interfere with the said impugned judgement and order.

7. Accordingly the instant appeal is hereby dismissed affirming the impugned and order of the Trial Court dated June 5, 1995.
8. Thus, the criminal appeal being **CRA 122 of 1995** is disposed of.
9. Let a copy of this order along with Trial Court Record be sent down to the Trial Court immediately.
10. Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Prasenjit Biswas, J.)