

D/L.15.
January 14, 2025.
MNS.

FMA No. 249 of 2023

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CAN 1 of 2023

Mr. Satyanarayan Agarwal

Vs.

Smt Aparajita Dhak and others

Mr. Anirban Mitra,
Mr. Amit Halder,
Mrs. Madhumita Sadhukhan

... for the respondents.

1. None appears at the time of call for the appellant.
2. It is seen from the order dated January 9, 2025 that, on the said occasion as well, the appellant remained unrepresented.
3. Learned counsel appearing for the respondents/decree-holders hands over photocopies of several documents, including the order of the executing court recording satisfaction of the decree and the connected Bailiff's report to indicate that the possession of the property has been taken in due process of law by the respondents/decree-holders in the meantime.
4. The documents filed in Court today be kept on record.
5. Since the appeal itself has been preferred against a deemed decree under Order XXI Rules 97 to 101 of the Code of Civil Procedure, it is evident that the appellant has lost interest in further proceeding with the appeal in view of the same having been rendered infructuous.

6. Accordingly, the appeal and the connected application are dismissed as infructuous without any order as to costs.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)