

26. 19.08.2025
Court No.16.

(Pritam)

**FA 184 of 2025
with
CAN 1 of 2025**

**Subhas Biswas.
-Vs.-
Renu Shaw & Anr.**

Mr. Asit Baran Raut,
Mr. Gautam Das.

....for the respondents.

1. None appears for the appellant at the time of call, although the respondents are represented by counsel.
2. We have read the judgment under appeal. It appears that the defendant was merely an employee/worker/assistant of Maruti shop and by virtue of the judgments of the Hon'ble Supreme Court in *Maria Margadia Sequeria Fernandes & Ors. vs. Erasmo Jack De Sequeria* reported in (2012) 5 SCC 370 and *Himalaya Vintrade Pvt. Ltd. vs. Md. Zahid* reported in 2022 (1) ICC 318 (SC), the said respondent cannot be said to have been applied any interest in the suit irrespective of his long possession.
3. Hence, we do not admit the appeal.
4. The appeal and the connected application stands dismissed. However, this will not prevent the appellant

to file application for recalling of this order showing good cause.

(Soumen Sen, J.)

(Apurba Sinha Ray, J.)