

AD-29
Ct No.16
11.06.2025
TN

FAT 93 of 2021
IA No: CAN 1 of 2021

Sri Robi Roy
Vs.
Sri Sufal Chandra Som and others

1. We find from our order dated May 06, 2025 that none of the parties were represented on the said date. On the basis of the report of the Stamp Reporter to the effect that the heirs of the defendant no.11 had been brought on record as respondent nos. 12(a) to 12(c) but no application for leave to prefer the appeal against the said respondent was taken out, we directed the appellant to file such an appropriate application within a fortnight from that date.
2. Even today, when the matter is called on for hearing, none appears for the parties, nor are we apprised as to whether any such application has been filed in the meantime. Accordingly, we have no other option but to dismiss the appeal and the connected application for default.
3. Hence, CAN 1 of 2021, which is an application for condonation of delay in preferring the appeal, is dismissed for default.
4. Consequentially, FAT 93 of 2021 is dismissed as time-barred.
5. There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)