

Item-
16.

25-08-2025

sg

Ct. 16

**SAT 149 of 2025
CAN 1 of 2025**

Samaresh Roy
Versus
Arun Kumar Roy & Ors.

1. The appellant is not represented nor any accommodation is prayed for on behalf of the appellant. Even on the earlier occasion, the appellant was not represented. The defects, pointed out by the Stamp Report in its report dated 30th June, 2025, have not yet been removed.
2. The dispute is with regard to title of the property in question. Both the Courts, on examination of the oral and documentary evidence, have found that the defendant no.1 has admitted in his evidence that there has been an encroachment. The Survey Investigation Commissioner's report also suggests encroachment.
3. In view of such concurrent findings of the both the learned Courts on facts which are based on oral and documentary evidences, we are not inclined to admit the second appeal.
4. The second appeal and the connected applications stands dismissed.

(Soumen Sen, J.)

(Biswaroop Chowdhury, J.)