

16th July, 2025

Item no. DL 7
Court No. 10

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side

Case No. **FMA 1015 of 2023**
with
CAN 1 of 2023

In the matter of :

MD. ASHRAF & ANR.

.... Appellants

VS.

MAHENDRA KR. JAIN @ MANO KR. JAIN & ANR.

....Respondents

For the Respondents :

Mr. Sanjida Sultana

....Advocate

1. It is noted from the order dated July 14, 2025 that on the said occasion none had appeared for the appellants, although the respondents were represented by counsel. We had observed that a last chance was being given to the appellants to argue their case and the appeal was accordingly adjourned for the day.
2. Even today, at the time of call, none appears for the appellants to argue the appeal under Order XLI Rule 11 of the Code of Civil Procedure, 1908.
3. Accordingly, it transpires that the appellants are not interested in proceeding with the appeal.

4. Hence, FMA 1015 of 2023, along with CAN 1 of 2023, are dismissed for default without any order as to costs.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)