

AD-26
Ct No.16
13.01.2025
TN

SAT 498 of 2013
IA No: CAN 1 of 2013
(Old No: CAN 10578 of 2013)
CAN 2 of 2013
(Old No: CAN 11422 of 2013)
CAN 3 of 2015
(Old No: CAN 4414 of 2015)

Sri Baidyanath Das and others
Vs.
Sir Rakshit alias Ranjit Das and others

Mr. Tanmoy Chowdhury,
Ms. Ritoprita Ghosh

....for the respondents

1. When the matter is called on for hearing, none appears for the appellants. Although the respondents do not have a present right of hearing at the Order XLI Rule 11 stage, however, the respondents are represented through counsel at the time of call.
2. We find from the previous orders, particularly the order dated January 07, 2025, that the matter had been repeatedly adjourned previously due to absence of/adjournment sought by the appellants. Even on the last occasion when the matter was taken up for hearing, we found that a defective Vakalatnama had been filed on behalf of the appellant no.1 according to the learned Advocate having instruction to appear for the appellants himself.

3. We had further recorded in our order dated January 07, 2025 that already a last chance had been given to the appellants. However, a further chance was given to the appellants to file proper Vakalatnama.
4. Since the appellants choose to abstain from the hearing even today, nor file any proper Vakalatnama in court, SAT 498 of 2013, along with CAN 1 of 2013 (Old No: CAN 10578 of 2013), CAN 2 of 2013 (Old No: CAN 11422 of 2013) and CAN 3 of 2015 (Old No: CAN 4414 of 2015) are dismissed for default without any order as to costs.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)