

18-03-2026

ct no. 13

Sl. 2

pk

F. A. 124 of 2012

CAN 3 of 2025

CAN 4 of 2026

Sailaja Nath Banerjee

-Versus-

Nilima Bhattacharjee & Ors.

Mr. Dulal Dey

...for the appellant.

Mr. Amalakshya Jana

... for the respondents.

Re: CAN 3 of 2025

1. CAN 3 of 2025 is an application for expunging the name of the appellant no. 1(a) Sri Bejoy Shankar Banerjee. His legal heirs are mentioned in paragraph 2 of CAN 3 of 2025.
2. In view of the above, let Bibhu Banerjee and Priyanka Banerjee be substituted in place and stead of the appellant no. 1(a) Sri Bejoy Shankar Banerjee. Their addresses are mentioned in the cause title of the application being CAN 3 of 2025.
3. Abatement of the appeal on account of death of the appellant no. 1(a) Sri Bejoy Shankar Banerjee shall stand set aside.
4. CAN 3 of 2025 is disposed of.

Re : CAN 4 of 2026

5. CAN 4 of 2026 is an application for recording the death of the respondent no. 1(a) Nilima Bhattacharjee. Her legal heirs are already on record.
6. Having regard to the above, let the name of Nilima Bhattacharjee being respondent no. 1(a) stand deleted from the array of the respondents in this proceedings.
7. CAN 4 of 2026 is allowed and disposed of.

Re: FA 124 of 2012

8. Learned counsel for the appellant, Mr. Dulal Dey submits that his client does not wish to proceed with the instant appeal any further.
9. Hence, the instant appeal is dismissed as not pressed.
10. Interim order, if any, shall stand vacated.
11. Let the T.C.R. be sent back to the Trial Court expeditiously by the special messenger at the cost of the appellant. Such cost be put in course of the day.
12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)