

14th May,
2026
(AK)
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F.A.T 122 of 2026
IA No: CAN 1 of 2026
CAN 2 of 2026

Sri Pradip Kumar Santra @ Pradip Santra and others
Vs.
Smt. Anjali Santra and others

Mr. Soumak Bera

...for the appellants.

Mr. Sukanta Das
Mr. Snehasis Jana

...for the respondent no.1.

1. The affidavit-of-service and envelopes filed in court today be kept on record.
2. The present appeal has been preferred against a preliminary decree of partition after a delay of twelve years three months and twenty days.
3. The only flimsy explanation given is that the defendant no.1/appellant is a “village person” who could not understand the meaning and purport of the impugned decree.
4. Learned counsel for the appellants seeks the court to enter into the merits of the case.
5. However, in view of the inordinate delay of more than twelve years in preferring the appeal and the explanation being absolutely insufficient, the court is of the opinion that the appellants were utterly

negligent in occasioning the delay in preferring the appeal.

6. Hence, CAN 1 of 2026 is dismissed on contest against the respondent no.1 and *ex parte* against the others without any order as to costs.
7. Consequentially, FAT 122 of 2026 stands dismissed as time-barred.
8. Accordingly, CAN 2 of 2026 is also disposed of.

(Sabyasachi Bhattacharyya, J.)

(Biswaroop Chowdhury, J.)