



18.12.2024
Item no.01
Court No.50

Ranendra Nath Roy
Vs.
Paresh Nath Roy

Ld. Advocate Mr. Dilip Kumar Maity appears for appellant.

Ld. Counsel for the appellant submits that the service of notice of appeal in connection with instant appeal is already complete.

Perused the office report dated 17.12.2024.

It transpires from the office report that in due compliance with the direction of the Hon'ble Court dated 19.09.2024, the Ld Advocate for the appellant has filed an affidavit of service along with edition of Bengali newspaper 'Bartaman' dated 18.10.2024.

Thus, it transpires from the said edition of newspaper that substituted service of notice of appeal was effected upon respondent nos. 1(a)(i) and 1(c)(ii) and the names and other particulars of the said respondent mentioned in the said newspaper also tally with that of the memo of appeal. Therefore, the service of notice of appeal upon the respondent nos. 1(a)(i) and 1(c)(ii) is deemed to be completed.

It is also reported that in due compliance with the direction of the Hon'ble Court dated 19.09.2024, the T.C.R in connection with Title Appeal No. 514/82 and Title Suit No. 90/67 have already been called for vide memo dated 03.10.2024 from the court of Ld. Additional District Judge, 2nd Court, Alipore, 24 Parganas (South) by special messenger.



In response to the said memo, a letter has been received vide memo dated 08.10.2024 wherein it is stated that the said T.C.R has already been transmitted to this Hon'ble Court. But, the said letter does not contain the memo number for sending those T.C.R to the Hon'ble Court.

In view of the above, it appears that in due compliance with the direction of the Hon'ble Court dated 19.09.2024, the service of notice of appeal upon respondent nos. 1(a)(i) and 1(c)(ii) is complete.

Hence, all the respondents have already been served with the requisite notice and the instant appeal is complete as regards service.

Since, it is reported that T.C.R was called for through special messenger from the court of Ld. Additional District Judge, 2nd Court, Alipore, 24 Parganas (South) in connection with Title Appeal No. 514/82 and Title Suit No. 90/67 which by way of further communication from the said court dated 08.10.2024 has been informed that the required T.C.R has already been sent, further memo number and date for sending those T.C.R is not required.

Hence, the concerned department is hereby directed to revisit the report as regards receiving of T.C.R in connection with Title Appeal No. 514/82 and Title Suit No. 90/67 within one week from date positively.

(Nabanita Ray)
Registrar Administration (L&OM)