



21.04.2026
Ct. No.655
SL. No.86
(Nandita)

SA 417 of 1987
With
IA No: CAN 1 of 1997 (Old No:CAN 1297 of 1997)
With
CAN 2 of 2004 (Old No: CAN 6709 of 2004)
With
CAN 6 of 2012(Old No: CAN 11722 of 2012)
With
CAN 10 of 2023
With
CAN 15 of 2024

Ranendra Nath Roy
Vs.
Smt. Mala Roy & Ors.

Mr. Dilip Kumar Maity
....for the Appellants

1. Appellant is represented by the learned Advocate.
2. None appears on behalf of the respondents.
3. It appears from the earlier order passed by the learned Division Bench dated 09.09.2025 that a specific direction was issued upon the department to furnish the particulars of the memo number and the date on which the trial court records were purportedly transmitted to this Court. However, upon perusal of the records presently available, it is evident that no report has been submitted either by the learned Registrar Administration (L & OM) or by the concerned department indicating whether the aforesaid direction of the learned Division Bench has at all been complied with. The absence of such a report leaves the matter in uncertainty and reflects non-compliance with the order, which requires immediate clarification.



4. It further transpires from the said order that the department was also directed to trace out the application being CAN 1 of 1997 (Old No. CAN 1297 of 1997) and to tag the same with the records of the present case. Nevertheless, it is found that the said application has not yet been traced out or tagged with the records, despite the clear and unequivocal direction of the learned Division Bench.
5. In view of the above, the department is once again directed to take immediate steps to trace out the application being CAN 1 of 1997 (Old No. CAN 1297 of 1997) and to ensure that the same is properly tagged with the records without any further delay. Compliance in this regard, along with a report as to the earlier direction concerning the memo number and date of transmission of the trial court records, shall be submitted forthwith.
6. It is said by the learned Advocate for the appellant that although the service was effected upon all the respondents of this appeal but only the respondent no.1 was being represented by Mr. Abhishek Banerjee.
7. Learned Advocate for the appellant is requested to inform Mr. Banerjee who appeared on behalf of the appellant no.1 intimating about the next date of hearing.
8. Let the matter appear in the list on **20th May, 2026**.

(Prasenjit Biswas, J.)