



24.07.2024
Item no.01
Court No.50

Ramendra Nath Roy
Vs.
Paresh Nath Roy

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

Perused the office report dated 23.07.2024.

It transpires from the office report that in due compliance with the direction of this court dated 28.02.2024 postal notices were issued upon respondent nos. 1(a)(i), 1(b)(i), 1(c)(i) vide memo dated 13.09.2024 by speed post with A.D and in terms of the service report the notices issued upon respondent nos. 1(a)(i) and 1(c)(i) remain unserved as the postal articles with A.D cards have been returned to the department with an endorsement 'addressee cannot be located'.

In respect of service of notice upon respondent no. 1(b)(i), postal article with A.D Card has been returned to the department with an endorsement 'refused on it'.

In view of the above, the notice served upon respondent no. 1(b)(I) appears to be complete. But, in respect of service of notice of appeal upon respondent nos. 1(a)(i) and 1(c)(i), Ld. Advocate for the appellant is hereby directed to put requisites for service of notice of appeal through speed post with A.D with present and proper address within two weeks from date positively.

It is further reported that the Ld. Advocate for the appellant Ms. Madhuri Das filed three copies of paper book in the department on 16.07.2001. But, the Ld. Advocate for the respondents have not yet collected the same.

In that regard, the Ld. Advocate for the appellant has submitted that the then the Ld. Advocate Ms. Madhuri Das has already expired and after her demise fresh vokalatnama has been issued in his name i.e. in favour of Dilip Kumar Maity.



Since, the paper book is lying ready in the department, the Ld. Advocate for the respondent is hereby directed to collect the same immediately within a period of two weeks from date positively.

It is also reported that in due compliance with the direction of this court, the T.C.R in connection with Title Appeal No. 514/82 and Title Suit no. 90/67 have been called for vide memo dated 05.03.2024 from the court of Ld. District Judge, South 24 Parganas at Alipore. But, neither any information nor T.C.R has yet been received by the department.

Though it is apparent from the Order dated 28.02.2024 that a reminder was sent for sending the T.C.R in connection with Title Appeal No. 514/82 and Title Suit No. 90/67 from the court of Ld. Additional District Judge, 2nd Court, Alipore, South 24 Parganas through the court of Ld. District Judge, South 24 Parganas, the notice has been sent to the court of Ld. District Judge, South 24 Parganas only.

Hence, a fresh reminder be sent to the Court of Ld. Additional District Judge, 2nd Court, Alipore, South 24 Parganas for immediate transmission of T.C.R. in connection with Title Appeal no. 514/82 and Title Suit no. 90/67 through the court of Ld. District Judge, South 24 Parganas within three weeks from date positively.

(Nabanita Ray)
Registrar Administration (L&OM)