

SA-43 of 2008

29.11.2023
Item no.03
Court No.50

Anchar Ali & Ors.
Vs.
Majedar Rahaman & Ors.

Ld. Advocate Mr. Debasish Roy appears for the respondents 2 to 6.

Ld. Counsel for the respondents/ plaintiffs submits that exhibited documents were withdrawn by the appellant due to which the appeal is pending for long and necessary direction may be passed for filing of exhibited documents for hearing of this appeal.

Perused the office report dated 23.11.2023.

It transpires from the office report that this court vide order dated 06.09.2023 passed an order directing the appellant to file requisites within two weeks from date for effecting service of notice of appeal upon the respondent no. 1(a-f). But, not such requisites as yet been filed.

It further transpires from the office report that in due compliance with the direction of this court dated 16.11.2016, L.C.R in connection with Title Appeal No. 24/04 & Title Suit No. 135/97 have been send down to the Court of Ld. Civil Judge (Sr. Divn), Balurghat, Dakshin Dinajpur vide memo no. 1563s dated 23.11.2016 for necessary correction.

It also transpires from the office report that one reminder was issued vide memo no. 1134s dated 12.09.2022 for transmission of the L.C.R after removal of defects. But, neither any information nor corrected L.C.R has yet been received by this court.

In view of the above, the appellant is hereby directed to file the requisites for effecting service of notice of appeal through speed post with A.D. upon the respondent no. 1(a-f) immediately within a period of two weeks from date, in default the matter will be placed before the Hon'ble Bench.

Thus it is arrarent that the L.C.R has already been send down to the Court of Ld. Civil Judge (Sr. Divn), Balurghat, Dakshin Dinajpur long back on 16.11.16 and the same has not yet been transmitted after removal all defects, in spite of reminder dated 12.09.2022 .

Hence, a final reminder be issued to the Court of Ld. Civil Judge (Sr. Divn), Balurghat, Dakshin Dinajpur for sending the L.C.R after removal of all defects within two weeks from date positively.

(Nabanita Ray)
Registrar Administration (L&OM)