

16
18.12.2025
Court. No. 40
Jayanta

SA/186/1997
+
IA NO: CAN/3/2025,
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CAN/4/2025,
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CAN/5/2025,
+
CAN/6/2025

SRI KAMAL KUMAR DAS
VS
SRI AJIT KUMAR TRIPATHI

Adv. Malyasree Maity
Adv. Nishant Kumar
Adv. F. Hossain

... for the Appellant.

CAN/6/2025

1. CAN 6 of 2025 is filed praying for Condonation of Delay and Substitution of legal heirs and representatives of deceased Respondent no.1 and 4.
2. It is awarded that Respondent no. 1 expired in the year 2023 and the Respondent No. 4 expired in the year 2014. This was noted by the Coordinate Bench in terms of order dated 31st January, 2025 when the learned Counsel informed the Court that the Respondent No.1 and 4 died.
3. Heard, considered.
4. Delay is condoned, abatement is set aside.

5. Accordingly, applications, namely, CAN 3 of 2025, CAN 4 of 2025 and CAN 6 of 2025 are also allowed and disposed of.
6. Affidavit-of-service filed today be kept with the record.
7. The appeal will further hearing on 13th January, 2023.
8. Department is directed to do the needful.

(Sugato Majumdar, J.)