

02.05.2025

Item no.01

Court No.50

**M/S Eastern Coalfields Lmt., a subsidiary of
Coal Inida Lmt. & Anr.**

VS

Smt. Chani Gope & Ors.

Ld. Advocate Syed Nurul Arfin appears for appellant.

Seen the written note of the Superintendent of 'SR' Section wherein the following defects are still subsisting in the instant appeal:

1. The certified copy of the decree of the Ld. Trial Court filed herewith appears to be incomplete in as much as the same is bereft of the ordering and/or operative portion of the judgement along with the concluding part of the certified copy of the decree bearing the signature of the presiding officer of the Ld. Trial Court.
2. The defendant no. 2 of the certified copy of the decree of the Ld. Trial Court does not find place in the certified copy of the decree on appeal and the defendant no. 4 of the certified copy of the decree of the Ld. Trial Court does not tally with that of the certified copy of the decree on appeal.
3. The certified copy of the decree on appeal bears wrong date of judgement of that court in page no. 2 under the phrase 'Given under my hand this....' and calls for rectification in the light of Order 41, Rule-35 (1), C.P.C.

So far, as regards the defect mentioned in point no.1 Ld. Advocate for the appellant submits that he shall file the certified copy of the decree afresh in the department concerned.

The concerned department shall revisit the report which is submitted today, after filing the certified copy of the decree by the Ld. Advocate for the appellant afresh.

As regards the defect mentioned in point nos. 2 and 3, let the certified copy of the decree on appeal be sent back to the Ld. First Appellate Court, i.e. Ld. Civil Judge, (Sr. Divn), 2nd Court, Asansol for necessary rectification.

Ld. Court concerned is requested to retransmit the same after putting necessary rectification, within two weeks from the date of receipt of this order.

List this matter on 16th May, 2025 positively.

(Kallol Chattopadhyay)
Registrar Administration (L&OM)