

AD-24  
Ct No.16  
07.05.2026  
TN

FA 347 of 2025  
IA No: CAN 1 of 2025

Anima Majumder and others

Vs.

Gobinda Chandra Kundu, since deceased, represented by  
his wife Bharati Kundu and others

Mr. Bhudeb Chatterjee,  
Mr. Mridul Kanti Sasmal,  
Mr. Tanmay Chatterjee

.....for the appellants

Mr. Samim Ahammed,  
Mr. Enamul Islam,  
Ms. Sabnam Mosfari

.....for the respondent nos. 1A and 2

1. Affidavit-of-service filed today be kept on record.
2. We find a peculiar discrepancy in the cause title of the memorandum of appeal as well as the connected application. Although Gobinda Chandra Kundu has expired, he has been mentioned apparently as the first respondent, stating in the cause title that Gobinda Chandra Kundu, since deceased, is represented by his wife Bharati Kundu, whereas the real respondent intended is Smt. Bharati Kundu herself, who is the wife of late Gobinda Chandra Kundu.
3. Necessary rectification to the cause title of the memorandum of appeal and the connected application shall be carried out by the learned Advocate-on-record for the appellants during the course of the day. A copy of the amended cause title shall be handed over to the learned Advocate for the appearing respondents by tomorrow.

4. Upon hearing learned counsel who are appearing for the contesting parties, CAN 1 of 2025 is disposed of by observing that the learned Trial Judge shall continue with the final decree proceedings; but shall not draw up any final decree without the leave of this Court during pendency of the appeal.
5. There will be no order as to costs.
6. The appellants shall prepare and file the requisite number of paper books within eight weeks from the date of service of notice of arrival of the trial court records on the learned Advocate for the appellants.
7. The trial court records shall be brought by special messenger at the cost of the appellants, to be deposited within a week from date.
8. Postal costs and other requisites shall be put in for service of notice of the appeal on the non-appearing respondent no.1 Smt. Bharati Kundu within a week from date.
9. Liberty to the parties to mention the appeal for inclusion in the list as and when the same is ready for hearing.

(Sabyasachi Bhattacharyya, J.)

(Biswaroop Chowdhury, J.)