

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

SAT 107 of 2021
with
IA No. CAN 1 of 2021
with
CAN 2 of 2023
with
CAN 3 of 2024

Md. Ruhul Haque
Vs.
Swapna Pramanik @ Swapan Pramanik & Ors.

Ms. Suchitra Saha
Mr. Chowdhury Faruk Ali
Ms. Priyanka Das
... For the appellant

1. Affidavit of service is filed and taken on record.
2. Learned counsel appearing on behalf of the appellant is present. None appears on behalf of the respondents on call.

In re: CAN 2 of 2023

3. Learned counsel appearing on behalf of the appellant submits that the deficit court fees has already been paid on 24th June, 2022 vide Entry No.A-11297. It is further submitted that the delay in filing deficit court fees has been explained in the application itself. It is also submitted that due to wrong calculation, the entire court fees could not be filed on time.
4. Considering the ground mentioned in the application itself, the prayer for condonation of delay in filing deficit court fees stands allowed.

5. CAN 2 of 2023 stands disposed of.

In re: CAN 1 of 2021

6. Learned counsel appearing on behalf of the appellant has submitted that the copy of the application under Section 5 of the Limitation Act was served upon the respondents in the month of June, 2023.

7. Considering the lapse of period of one year, the appellant is directed to serve notice along with a copy of instant application upon the respondents by Speed Post with Acknowledgement Due and file an affidavit-of-service to that effect on the returnable date.

8. Let the matter appear in the list on 20th September, 2024.

(Bibhas Ranjan De, J.)