

DI. August
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F.A. 339 of 2014
Khairun Bibi
VS.
Subhas Chandra Roy & ors.
With
F.A.T. 620 of 2014
Sujit Mondal
Vs.
Subhas Chandra Roy & ors.
Re: CAN 4 of 2022 (recording death)
filed on June 28, 2022.

Mr. Samiran Giri,
...for the appellant in
F.A. 339 of 2014.
Mr. D. K. Adhikari,
Mr. Yusuf Ali,
...for the appellant in F.A.T. 620/2014
and for the respondent no. 17 in
F.A. 339 of 2014.
Mr. Sandip Das,
Mr. Diptyendu Kumar Pal,
...for the respondents no. 1,2,4& 5.
Mr. Malay Bhattacharya,
Ms. Ankana Sarkar,
...for the respondent no. 6-series.

This is an applications for recording the death of the respondent no. 3, namely, Laxmipriya Roy, who died intestate on July 5, 2015 leaving behind her two sons and two daughters. The heirs and legal representatives of the deceased respondent no. 3 are already on record as respondents no. 1, 2, 4 and 5.

In view thereof, the application stands allowed by recording the death of the respondent no. 3 and also recording that the heirs and legal representatives of the deceased respondent no. 3 are already on record as respondents no. 1, 2, 4 and 5.

Office is directed to carry out necessary amendment in the cause title of the memoranda of appeal.

There will be no order as to costs.

Re: CAN 6950 OF 2015 (stay)
Filed on July 17, 2015 in F.A.T. 620/2014.

The appellant/petitioner in F.A.T. 620 of 2014 stands in the same footing as that of the appellant in F.A. 339 of 2014. In view of such admitted position, we direct the parties to maintain status quo, as of today, in relation to the property in suit till disposal of the appeal.

Since the respondents no. 1, 2, 4, 5 and 6-series have already entered appearance in F.A. 339 of 2014, formal service of notice of this appeal being F.A.T. 620 of 2014 upon them is dispensed with.

The appellants in their respective appeals are directed to put in the requisites, namely, postal costs, written up notice forms and correct postal addresses of the respondents, for effecting service of notice of appeals within two weeks from date.

Lower court records of this case have already been arrived at. Paper books have already been filed in connection with F.A. 339 OF 2014. There is no need to file separate paper book in connection with F.A.T. 620 of 2014.

List both the appeals for hearing in the monthly combined list of cases for the month of November 2022 provided those become ready.

(Soumen Sen, J.)

dns

(Siddhartha Roy Chowdhury, J.)

