

AD-08  
Ct No.16  
24.11.2025  
TN

FMA 1325 of 2025

Joyce Mathias and another  
Vs.  
Victor Charles Mathias

Mr. Khondker Samiul Haque

.....for the appellants

1. A peculiar issue has arisen in the present matter.
2. By an order dated September 03, 2025, a coordinate Bench had disposed of the appeal as well as the application while, however, sending the matter for mediation.
3. Subsequently, the mediation having failed, the matter has returned to this Court. However, due to the said observation that the appeal and the application were disposed of, there is an impediment in the matter being taken up by this Bench.
4. It is observed that out of the two Hon'ble Judges of this Court who comprised the coordinate Bench which disposed of the appeal, one learned Judge, namely Justice Apurba Sinha Ray, is still available.
5. Accordingly, the matter be sent to the Hon'ble The Acting Chief Justice for constitution of a Bench comprised *inter alia* of Justice Apurba Sinha Ray, for the purpose of modification of the order dated September 03, 2025 and passing necessary directions for the appeal to be heard on merits.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)