

M/L.28.
August 4, 2025.
MNS.

FMAT No. 468 of 2024
+
CAN 1 of 2024
+
CAN 2 of 2025

JOYCE MATHIAS and another
Vs.
VICTOR CHARLES MATHIAS

Mr. Rwitendra Banerjee,
Mr. K. Samiul Haque

... for the appellants.

Re: CAN 2 of 2025 (condonation of delay)

1. The affidavit-of-service filed in court today be kept on record.
2. Despite service, none appears for the respondent to contest the application.
3. In view of sufficient explanation for the miniscule delay of four days having been furnished, CAN 2 of 2025 is allowed, thereby condoning the delay in preferring FMAT No. 468 of 2024.
4. There will be no order as to costs.

Re: FMAT 468 of 2024

5. Since there is some doubt as to whether this Bench has the determination to take up First Miscellaneous Appeals, since such determination has been exclusively conferred

on a different Bench and only the general determination as to the stage of appeals, that is, Order XLI Rule 11 of the Code of Civil Procedure, has been conferred on us, let the matter stand adjourned till August 11, 2025 till such issue is resolved.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)