

ADSL-07
Ct No.16
05.02.2026
TN

FA 474 of 2025
IA No: CAN 1 of 2025
CAN 2 of 2025

Sri Samar Ghosh and others
Vs.
Sri Bhut Nath Ghosh and another

Mr. Chittapriya Ghosh,
Ms. Priyanka Saha

.....for the appellants

Re: CAN 1 of 2025

1. Learned counsel for the appellants submits that the application for condonation of delay bearing CAN 1 of 2025 is redundant, having been erroneously filed, since there is no delay in preferring the appeal.
2. We find from the relevant dates in the certified copy of the impugned judgment that the submission of learned counsel is correct.
3. Accordingly, on the prayer of the appellants, CAN 1 of 2025 is dismissed as not pressed.
4. There will be no order as to costs.

Re: CAN 2 of 2025

5. The appellants shall serve copies of CAN 2 of 2025 on the respondents indicating that the application shall next be listed for hearing on February 23, 2026, when an affidavit-of-service to that effect shall be filed by the appellants.

6. The learned Trial Judge shall continue with the final decree proceedings in the meantime. However, no final decree shall be drawn up till disposal of the application without the leave of this Court.
7. On the prayer of learned counsel for the appellants, leave is granted to the appellants to carry out the necessary rectifications in the cause title of the memorandum of appeal.

(Sabyasachi Bhattacharyya, J.)

(Biswaroop Chowdhury, J.)