



IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

...

SAT/2/2022

Abilash Chandra Roy ... appellant

Vs.

Sukhoda Roy ... Respondent

Mrs. Anjili Nag ... for the appellant

June 29, 2022
[SR]
Item No.12

The appeal shall be heard on the following questions of law.

1. Whether a Power of Attorney holder becomes nonest in the eye of law, notwithstanding the provisions of Section 202 of the Indian Contract Act 1872?
2. Whether specific performance of subject contract could be granted in favour of the appellant?
3. Whether the Appellate Court erred in appreciating the oral evidence of the parties?

Let the Lower Court Records be called for at the cost of the appellant.

Requisite fee be deposited in the Department within a period of two weeks from date.

The Advocate appearing on behalf of the appellant is directed to prepare the requisite number of informal Paper Books within a period of four weeks from the date of receipt of the notice of the arrival of the Lower Court Records.

After preparation of informal Paper Books, liberty is granted to the parties to mention the matter for hearing before the appropriate Circuit Bench.

In the meantime, the Department is also directed to issue appropriate notices upon the respondent.

(Ravi Krishan Kapur, J.)

(Tirthankar Ghosh, J.)