

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

FMAT/5/2025
(IA NO: CAN/2/2025)

Smti. Alka Rani

Vs.

The Eviction Officer and Others

Mr. K. M. B. Jayapal	... for the appellant
Ms. K.Banu	... for the respondent no.1
Ms. Babita Das	... for the respondent nos.2&3

September 08, 2025
[SR]
Item No. 6

Re: CAN/2/2025 (Condonation of delay)

Seen the revised report of the Stamp Reporter dated September 03, 2025. One day delay in filing the appeal is reported. This is an application praying for condonation of the said delay.

Perused the application, delay has been satisfactorily explained, as such condoned. The appeal be registered.

CAN/2/2025 is disposed of, without any order as to costs.

Re: FMAT/5/2025 (Appeal)

This is an appeal from original order passed under section 28K of the Airports Authority of India Act, 1994.

The Chapter V Rule 17 of the Appellate Side Rules of the High Court at Calcutta does not dispensed with the requirement of admission of this appeal under Order XLI Rule 11 of the Code of Civil Procedure.

The appeal inadvertently was placed before the learned Single Judge on April 09, 2025 when an order of stay was passed, without appeal being admitted, besides the appeal is

not in proper form inasmuch it has not been filed in the form of Memorandum as required under Order XLI Rule 1 of the Code of Civil Procedure instead it has been filed in the form of application/petition.

Several orders in the appeal since has been passed, the defect in its form is ignored and the application/petition be treated as the Memorandum of appeal.

The appeal is now formally admitted.

The respondents since have entered appearance, the appeal is treated ready as regard service by appearance.

Trial Court Records be called for by special messenger at the cost of the appellant, such costs be put in within a week from date. The appellant is required to prepare requisite number of informal paper book.

Appeal be placed before the next available Circuit Bench.

Parties to act on the server copy of this order downloaded from the official website of this Court.

(Gaurang Kanth, J.)

(Biswajit Basu, J.)