

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.3982 OF 2004

PANCHUGOPAL HUDAIT(D) BY LRS. & ORS. APPELLANT(S)  
VERSUS  
SAMBHUNATH HUDAIT & ANR. RESPONDENT(S)

O R D E R

None appears on behalf of the appellants.

Mr. Sanjiv Sen, learned Senior Counsel appearing for the respondents, is present.

The appeal is dismissed for nonprosecution.

We must express our opinion that since it is a second time when this appeal has been dismissed for non prosecution, we should follow the principles laid down in Order IX Rule 4 of the Code of Civil Procedure along with the Supreme Court Rules, 2013 and hear the respondents also in the event again application is filed for restoration of appeal.

.....J  
[M. Y. EQBAL]

Signature Not Verified

Digitally signed by  
Sanjay Kumar  
Date: 2015.08.14

14:59:29 IST  
Reason:

.....J  
[C. NAGAPPAN]

NEW DELHI;  
AUGUST 12, 2015.  
COURT NO.10

ITEM NO.107

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No(s).3982/2004

PANCHUGOPAL HUDAIT(D) BY LRS. & ORS. Appellant(s)  
VERSUS  
SAMBHUNATH HUDAIT & ANR. Respondent(s)

(With office report)

Date : 12/08/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL  
HON'BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s) Mr. S. K. Bhattacharya, Adv. (Not Present)

For Respondent(s) Mr. Sanjiv Sen, Sr. Adv.  
Mr. Dev J. Roy, Adv.  
Mr. Praveen Swarup, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

None appears on behalf of the appellants.

The appeal is dismissed for non prosecution in terms  
of the signed order.

(Sanjay Kumar-II)  
Court Master

(Indu Pokhriyal)  
Court Master

(Signed Order is placed on the file)