

06.
20.01.2021
S.D.

S.A. 23 of 1991
With
CAN 3 of 2008 (Old CAN No. 7105 of 2008)
CAN 6 of 2013 (Old CAN No. 11449 of 2013)

Sri Shibnath Bhattacharjee
Vs.
Sri Sudhanshu Sekhar Majumder

Mr. Farhan Gaffar

....For the Respondent

In re: **CAN 6 of 2013 (Old CAN No. 11449 of 2013)**

None appears on behalf of the defendant/appellant even on second call.

Heard Mr. Farhan Gaffar, Advocate for the respondent.

This is to consider an application being CAN 6 of 2013 (Old CAN No. 11449 of 2013) filed on 26.11.2013 for restoration of the appeal by recall of an order of dismissal for defendant dated 13.11.2013 passed by Hon'ble Justice Murari Prasad Srivastava. The order sheet reflects a dismal conduct on the part of the appellant.

Hence, the CAN Application being CAN 6 of 2013 (Old CAN No. 11449 of 2013) is dismissed for default with exemplary costs of Rs.10,000/- (Rupees Ten Thousand Only)

which should be deposited by the defendant/appellant with the High Court Legal Service Authority which amount shall be utilized for the welfare of destitute children.

(Shivakant Prasad, J.)