

Party Name : ANITA GHOSH (DAS) & ORS Vs NRIPENDRA CH. DAS & ABR

THE HONBLE MR. JUSTICE S.C.DAS

In view of the order passed today in IA No.247 of 2015, this petition is taken up for consideration.

Heard learned counsel, Mr. D. R. Choudhury for the appellant-applicants and learned counsel, Mr. D. K. Biswas for the respondent-opposite parties.

By filing this petition under Order XLI Rule 19 of the CPC the appellant-applicants prayed for re-admission of RSA No.61 of 2007, which has been dismissed for default on 24.09.2014. The order passed on 24.09.2014 shows that the case was adjourned during the last year on 10th occasions and on the date fixed for hearing learned counsel of the appellants was not present.

However, considering the submissions of learned counsel of both side and the reasons assigned in the petition, the prayer for re-admission of RSA No. 61 of 2007 is allowed.

The RSA No.61 of 2007 be restored in its original file and be listed for hearing in its usual course.

The Interim application accordingly stands disposed of.