

Party Name : PRASANTA BHATTACHARJEE Vs NARANDRA CH. DEB

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THE HONBLE MR. JUSTICE S.TALAPATRA

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Heard Mr. G. K. Nama, learned counsel appearing for the appellant-petitioner.

This is an application for setting aside the abatement and for condonation of delay in making prayer for setting aside the abatement by the appellant-petitioner.

Mr. K. K. Pal, learned counsel has appeared for all the proposed legal heirs and submitted that he has no objection if this application is allowed by setting aside the abatement on condonation of delay in filing the petition.

Mr. Nama, learned counsel for the appellant-petitioner having referred to the paragraphs 1 to 4 has submitted that the legal heirs of the sole respondent were not at all aware of the pendency of the second appeal and they could not contact the learned counsel of the sole respondent in time.

This Court is satisfied that it is a fit case where the delay should be condoned and the abatement as occurred be set aside and accordingly it is ordered.

Thus, this petition stands allowed and disposed of.