

Party Name : SUNIL SINHA Vs SMT BABY SINHA

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THE HONBLE MR JUSTICE U. B. SAHA THE HONBLE MR. JUSTICE S.TALAPATRA

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The instant application is filed for setting aside the order dated 03.12.2014, wherein FA 5 of 2013 was dismissed and to restore the case in its original file.

Heard Mr. S Ghosh, learned counsel appearing on behalf of Mr. S Sarkar, learned counsel for the appellant-applicant as well as Mr. PK Biswas, learned senior counsel assisted by Mr. P Majumder, learned counsel appearing for the respondent.

Mr. Biswas submits that he has no objection to the prayer for restoration of FA 5 of 2013 which was dismissed for default.

This Court has gone through the reasons for non appearance of the learned counsel on the date fixed, as contended in the instant petition. According to this Court it would be proper to set aside the order dated 03.12.2013 passed in FA 5 of 2013. Accordingly the same is set aside and the case is restored to its original file.

The CM application is accordingly disposed of.