

. 15.01.2021  
**sd**

Ct.9.

**SA 170 of 2006**  
**With**  
**CAN 12056 of 2017**

Mr. Uday Chandra Jha  
Ms. M. Sharma  
Ms. Tulika Roy ..For the respondents.

An application for recalling of the order dated 13.12.2017 has been filed on behalf of the appellant on 18.12.2017. Just after filing the application, the appellant hardly bothers to take steps in the appeal and his dismal conduct is well reflected from the order sheets. Today, even on second call none appears to move the application for recall of the order dated 13.12.2017.

Now, Mr. Jha, learned advocate, appearing for the respondent submits adverting to the judgment dated 13.12.2017, whereby this Court was pleased to dismissed the appeal on its merit finding no substantial question of law that this judgment cannot be recalled by an application so filed on behalf of the appellant/petitioner.

Considering the dismal conduct of the appellant, the application being CAN 12056 of 2017 is dismissed with cost of Rs. 5,000/- payable to the Legal Services Committee of the Hon'ble High Court.

Let the lower court records be sent to the learned courts below.

**(Shivakant Prasad, J. )**