

28.04.23
Sl-14
Ct.32
(S.R.)

**FAT 443 of 2016
with
CAN 1 of 2016 (Old No.CAN 8748 of 2016)
and
CAN 2 of 2016 (Old No.CAN 8767 of 2016)
and
CAN 3 of 2019 (Old No.CAN 407 of 2019)**

**State of West Bengal & Anr.
v.
Soumendra Narayan Chowdhury**

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata ... for the appellants.

Mr. Rahul Karmakar
Ms. Pallavi Priyadarshree
Mr. Arnab Sardar ... for the respondent.

In re: CAN 1 of 2016 (Old No.CAN 8748 of 2016)

Affidavit of service filed by the appellants is kept on record.

Upon hearing the learned advocates appearing for the respective parties and upon considering the averments made in the application being CAN No.1 of 2016 (Old No. CAN 8748 of 2016), we are satisfied with the explanation given towards the absence of the learned advocate of the appellants before the Court on 17th December, 2018 when the appeal and the connected applications were dismissed for default. Accordingly, the order dated 17th December, 2018 is recalled. The appeal and the connected applications are restored to their respective original file and number.

The application being CAN No.1 of 2016 (Old No.

CAN 8748 of 2016) is, accordingly, disposed of.

List the matter for further consideration two weeks after the vacation.

In the meantime, the parties would be at liberty to exchange their affidavits in the pending application.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)