

26.02.2021
Sl. No. 48
srm

C.O. No. 3318 of 2017
With
CAN 1 of 2019 (Old CAN 11559 of 2019)
With
CAN 2 of 2019 (Old CAN 11978 of 2019)
Devendra Kumar Sarawgee
Vs.
Purbanchal Estates Private Limited & Ors.

Mr. Saumya Mazumdar,
Ms. Meenal Sinha,
Ms. Jagriti Bhattacharya

...for the Petitioner.

Mr. Prasanta Naskar

...for the Opposite Party No.1.

Re: CAN 2 of 2019 (Old CAN 11978 of 2019)

This is an application filed by the petitioners under Section 5 of the Limitation Act for condonation of delay in filing the restoration application.

Upon perusal of the grounds stated in paragraphs 6 to 9 of this application, this Court is satisfied that the petitioner was prevented by sufficient cause from filing the restoration application within time.

The delay in filing the restoration application stands condoned.

The application for condonation of delay being CAN 2 of 2019 (Old CAN 11978 of 2019) stands allowed and disposed of accordingly.

The restoration application being CAN 1 of 2019 (Old CAN 11559 of 2019) is registered.

Re : CAN 1 of 2019 (Old CAN 11559 of 2019)

As the original application is not in the file, a copy of the same has been taken on record and treated to be the original with the consent of the parties.

This is an application for restoration of the revisional application by recalling the order dated November 22, 2018, by which the revisional application bearing C.O. No.3318 of 2017 was dismissed for default.

Upon perusal of the grounds set forth in paragraphs 6 to 9 of this application, this Court is satisfied that the petitioner was prevented by sufficient cause from attending the Court when the matter was dismissed for default.

Let the orders dated November 22, 2018 be recalled.

The application being CAN 1 of 2019 (Old CAN 11559 of 2019) is allowed and disposed of accordingly.

The civil revisional application being C.O. No.3318 of 2017 is restored to its original file and number.

Re: C.O. No. 3318 of 2017

Let this revisional application appear in the Daily Supplementary Cause List on **March 1, 2021**.

(Shampa Sarkar, J.)