

20 21.6.2022
Sc Ct. no.12

FA 284 OF 1986
with
I.A. No. CAN 5 OF 2022
with
I.A. No. CAN 4 OF 2022
with
I.A. No. CAN 1 OF 2007
(Old No. CAN 287 OF 2007)

Sm. Usharani Debi

Vs.

Sm. Runu Dasgupta

Mr. P. C. Paul Chaudhury
Mr. Deep Narayan Mukherjee
Mr. Gopal Paul Chaudhury
Mr. Krishnendu Paul Chaudhury.

..... For the Appellant/
Petitioner

Mr. Atarup Banerjee

... For the Respondent

I.A. No. CAN 5 OF 2022
with
I.A. No. CAN 4 OF 2022

I.A. No. CAN 5 of 2022 is an application for condonation of delay and I.A. CAN 4 of 2022 is an application for restoration of the matter which was dismissed for non-prosecution on 2nd August, 2019.

Having heard learned advocates for the parties and taking into consideration the intervening pandemic period which lasted for almost two years, we are satisfied about the delay in filing this application for restoration.

Accordingly, the delay is condoned. I.A. No. 5 of 2022 stands allowed.

Now, the application for restoration of the appeal is taken up.

On perusal of the averments made therein it appears to this Court that sufficient cause had been made out. Grounds shown therein are cogent. Accordingly, the restoration application being I.A. No. CAN 4 of 2022 stands allowed. Appeal is restored to its file with its original number.

The applications being I.A. No. CAN 5 of 2022 and I.A. No. CAN 4 of 2022 are disposed of.

(Chitta Ranjan Dash, J.)

(Aniruddha Roy, J.)