

02.08.2022
(M/L-37)
Ct.-18
(Susanta)

S.A. 104 of 2013
With
I.A. No. CAN 1 of 2019 (Old CAN 12288 of 2019)

Sabyasachi Goswami
-Vs-
Sudhendu Bikash Ghosh

Mr. Anit Kumar Rakshit,
... For the Appellant/Petitioner.

Re: **I.A. No. CAN 1 of 2019**
(Old CAN 12288 of 2019)

Mr. Anit Kumar Rakshit, learned advocate for the
appellant/petitioner files affidavit-of-service which is taken on
record.

None appears on behalf of the respondent/opposite party.

The Second Appeal was dismissed for default on
November 4, 2019.

This is an application for recalling of the said order on
condonation of delay.

Perused the application.

The delay has been satisfactorily explained, as such,
condoned.

It appears that the appellant/petitioner was prevented by
sufficient cause from appearing before the Court when the matter
was called on for hearing.

The order dated November 4, 2019 is, therefore, recalled.

S.A. 104 of 2013 is restored to its original file and number.

The application being I.A. No. CAN 1 of 2019 (Old CAN
12288 of 2019) is thus disposed of without any order as to costs.

Urgent photostat certified copy of this order, if applied for,
be supplied to the parties subject to compliance with all requisite
formalities.

(Biswajit Basu, J.)