

2. 19.01.2021
sd

Ct.9.

SA 389 of 2004
With
CAN 7 of 2020
With
CAN 8 of 2020
With
CAN 9 of 2020

Mr. Pradip Paul

..For the applicant.

Re: CAN 7 of 2020

This is an application for recalling of the order dated 4.11.2019 passed in SA 389 of 2004 thereby dismissing the appeal for default.

Learned advocate appearing for the applicant/appellant submits that the learned advocate was unable to appear before the Hon'ble Court on 4.11.2019 due to his illness and missed the list.

Considering the explanation being sufficient in my opinion, the same is allowed.

Let the order dated 4.11.2019 be recalled and the Second Appeal be restored to its original file and number.

Thus applications being CAN 7 of 2020, CAN 8 of 2020 and CAN 9 of 2020 are disposed of.

It is submitted that the appeal is ready for hearing in all respect as the paper books are ready.

List the appeal for its final hearing on merit two weeks hence.

(Shivakant Prasad, J.)