

12.04.2022
(D/L-42)
Ct.-18
(Susanta)

C.O. 1993 of 2013
With
I.A. No. CAN 1 of 2019 (Old CAN 5707 of 2019)

U.B Rice Mill Private Limited & Anr.
Vs.
Abdul Hannan & Ors.

Mr. Debasish Roy,
Mr. Srinjay Sengupta,
Mr. Sourav Roy,
Mr. Narattam Acharyya,
Mr. Ankush Ghosh,
..... For the Petitioners.

Mr. Animesh Mukherjee,
Md. Ali Mansoor,
..... For the Opposite Parties.

Re: I.A. No. CAN 1 of 2019
(Old CAN 5707 of 2019)

This is an application for recalling of the order dated June 19, 2019 whereby the revisional application was dismissed for default.

Perused the application. The application has been filed within time.

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

The order dated June 19, 2019 is, therefore, recalled.

C.O. 1993 of 2013 is restored to its original file and number.

The application being I.A. No. CAN 1 of 2019 (Old CAN 5707 of 2019) is thus allowed without any order as to costs.

RE: C.O. 1993 of 2013

The pre-emptee in a proceeding under Section 8 of the land Reforms Act, 1955 is the petitioners of the present revisional application under Article 227 of the Constitution of India.

The issue involved in the present revisional application is whether right of preemption can be exercised when entire share of a co-sharer in a plot of land has been transferred.

The said issue is pending consideration before the larger Bench of This Court and has not yet been answered.

The hearing of the revisional application is adjourned till the said issue is answered.

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.)