

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

IA NO.GA/3/2021
IN
APOT/67/2018

ASWINI KUMAR SARKAR & ANR.
Versus
THE STATE OF WEST BENGAL & ORS.

IA NO.GA/4/2021
IN
APOT/67/2018

ASWINI KUMAR SARKAR & ANR.
Versus
THE STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE ARINDAM SINHA
And
The Hon'ble JUSTICE SUVRA GHOSH
Date : 2nd March, 2021

Appearance:
Mr.Debdutta Basu, Adv.
for the applicants
Mr.Aditya Chaturvedi, Adv.
for Calcutta Tramways Company

The Court : Mr. Basu, learned advocate appears on behalf of applicant and submits, by order dated 11th February, 2020, the applications for condonation of delay as well as the appeals were dismissed for default. The explanation is in paragraph 6 to effect that his daughter was ill, which caused him to be away from Court. There is averment as well that he obtained information about the dismissal on the day itself. He submits further, soon after the dismissal there was lock down and the application filed thereafter as soon as it was possible. Mr. Chaturvedi,

learned advocate appears on behalf of Calcutta Tramways Company (1978) Limited and leaves it to Court.

The explanation taken with facts of the lock down on pandemic covid 19 disrupting Court proceedings and Supreme Court having taken suo motu cognizance of it in relation to limitation, makes us inclined to and we do allow the applications. Order dated 11th February, 2020 is recalled. The applications for condonation of delay are restored to file and number.

List the condonation applications on 16th March, 2021 as prayed for by Mr. Basu.

(ARINDAM SINHA, J.)

(SUVRA GHOSH, J.)

sb.