

24.11.2021
(S/L-43)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 1350 of 2021
With
I.A. No. CAN 1 of 2021
Sankar Lal Ganguli
-Vs-
Smt. Manisha Dasgupta & Ors.

Mr. Jagannath Ganguli,
Ms. Sunita Dhar,
.... For the Petitioner.

Mr. Debyajoti Raha,
Mr. Swagatam Deb,
... For the Opposite Parties.

Affidavit-of-service filed in Court today be
kept with the record.

The petitioner approached the learned Trial
Judge with an application under Order I Rule
10(2) of the Code of Civil Procedure for his
addition in the Original Suit no. 2 of 2010
pending before the learned Additional District
Judge Fast Track- 3rd Court at Barasat, District
24-parganas (North).

The said application was dismissed for
default.

Mr. Jagannath Ganguli, learned advocate
appearing on behalf of the petitioner submits
that due to Covid-19 pandemic, the learned
advocate for the petitioner could not take steps
on the said application in the Court below on the
date when it was dismissed for default.

The said explanation is convincing.

The order impugned being order no. 6 dated April 8, 2021 is set aside. The said application under Order I Rule 10(2) of the Code is restored.

The learned Trial Judge is requested to dispose of the said application expeditiously.

C.O. 1350 of 2021 is disposed of with the above terms without any order as to costs.

The connected application being I.A. No. CAN 1 of 2021 is also disposed of accordingly.

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.)