

12.03.2021
Court No. 19
Item No.44
CP

CAN 1 of 2021
in
C.O. 3254 of 2019

Smt. Shrabani Kundu
vs.
Sri Malay Kundu

Mr. Suchindram Bhattacharjee

.....for the petitioner/applicant.

Despite service, none appears for the opposite party.

Affidavit of service is taken on record.

Re: CAN 1 of 2021

CAN 1 of 2021 is an application for restoration of the revisional application being C.O. 3254 of 2019, which was dismissed for default on January 8, 2021.

The petitioner has explained the reasons for not being able to attend the court on the date the matter was dismissed for default. It appears that when the matter was dismissed for default, the opposite party was also not present.

Having considered the explanations given in the paragraphs 3 to 6 of the said application, the court is satisfied that the petitioner was prevented by sufficient cause from attending the court when the matter was called on.

CAN 1 of 2021 is allowed.

C.O. 3254 of 2019 is restored to its original file and number.

Petitioner is directed to serve a notice and a server copy of this order upon the opposite party and his learned Advocate appearing in the court below. Affidavit of service to be filed on the next date.

Let the revisional application be listed as a 'Motion' on March 25, 2021 at the top.

(Shampa Sarkar, J.)