

ORDER SHEET

IA No.GA/2/2020

In

APO/332/2011

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

SRI BHAIRUNDAN BANTHIA
VERSUS
WOODBURN PARK CO-OPERATIVE HOUSING SOCIETY LIMITED & ANR.

BEFORE:

The Hon'ble JUSTICE I. P. MUKERJI

The Hon'ble JUSTICE MD. NIZAMUDDIN

Date : 7th January, 2021.

Appearance:

Mr. Priyankar Saha, Adv.

Mr. Rudrajit Sarkar, Adv.

RE: IA No.GA/2/2020

The Court: An affidavit of service is on record.

Sufficient cause is shown. The delay in filing this application is condoned. The abatement of the appeal is set aside. The order dated 6th March, 2019 is also set aside. The appeal (APO 332 of 2011) with the application (GA 3418 of 2011) arising out of WP 395 of 2009 (Sri Bhairundan Banthia vs. Woodburn Park Co-operative Housing Society Limited) is restored to its original file and number.

Order in terms of prayers (e), (f) and (g) of the petition.

The application (GA 2 of 2020) is allowed to the above extent.

RE: APO/332/2011

We are told that an appeal by different parties from the impugned order dated 30th August, 2011 was disposed of on 25th September, 2018 and corrected by the order dated 1st October, 2018 setting aside the said impugned order.

In those circumstances, we dispose of this appeal by noting that the impugned judgment and order has already been set aside and no further order is required in this appeal.

The appeal (APO 332 of 2011) is disposed of accordingly.

(I. P. MUKERJI, J.)

(MD. NIZAMUDDIN, J.)

CS.