

22.5.2024
142
Ct. no. 652
sb

CO 559 of 2019
With
CAN 1 of 2023
CAN 2 of 2023

Rafiquzzuman Chowdhary & Anr.
Vs.
Gadadhar Das

Mr. Suddhader Adak
Ms. Richa Pramanik ...for the Petitioners

Mr. Debjit Mukherjee
Mr. Kaustav Bhattacharya
Ms. Susmita Chatterjee
Ms. Sinjini Chakraborty
Ms. Priyanka Jana ...for the Opposite party

Re: CAN 2 of 2023

Affidavit of service filed by the petitioners is taken on record. Both parties are represented.

This is an application under Section 5 of the Limitation Act seeking condonation of delay of 165 days in preferring the application for restoration being CAN 1 of 2023.

Grounds shown in the application appears to be satisfactory and accordingly, the delay in filing the application being CAN 1 of 2023 is allowed.

CAN 2 of 2023 is accordingly disposed of.

Re: CAN 1 of 2023

This is an application wherein the petitioners have sought for recalling the order dated 14th December, 2022 whereby this court was pleased to dismiss the application being CO 559 of 2019.

Grounds shown in the application appears to be satisfactory and accordingly, it is allowed.

Let CO 559 of 2019 be restored in its original file with original number.

CAN 1 of 2023 is accordingly disposed of.

Re: CO 559 of 2019

Let the matter appear on 28th June, 2024 under the heading **“Contested Application”**.

(Ajoy Kumar Mukherjee, J.)