

16-08-2022
Item no.115
Subrata

IN THE HIGH COURT AT CALCUTTA
Civil Revisional Jurisdiction

CAN No.1 of 2022
in
CO. No.627 of 2022
Maya Majumder
-VS-
Smt. Rama Banerjee & Ors.

Mr. Arunangshu Chakraborty
Ms. Geniya Mukherjee
Ms. Zeba Rashid
Mr. Arijit Bera ...for the petitioner

Mr. Dilip Kumar Sadhu
Mr. Avik Kumar Das ...for opposite party no.3

CAN No.1 of 2022 seeking for restoration of the revisional application, which was dismissed for default on June 15, 2022, is taken up for hearing.

I have heard learned counsels appearing for the petitioner and the third opposite party.

Having heard learned counsels for the parties and on consideration of the averments contained in the restoration application, I am satisfied with the explanation that the petitioner was prevented by sufficient cause from being represented before the court on June 15, 2022.

Accordingly, **CAN No.1 of 2022** is **allowed**. The dismissal order dated June 15, 2022 is recalled and the revisional application is restored to its original file and number.

Learned counsel for the third opposite party, Nur Haque Mallick, submits that his client seeks to contest the s.24 CPC application by filing opposition.

The third opposite party is thus directed to file the affidavit-in-opposition within two weeks from date; affidavit-in-reply thereto, if any, within one week thereafter.

Let the revisional application be placed on the list for hearing on September 13, 2022.

After hearing learned counsels for the parties, I am of the view that further proceedings of the title suit and a misc. case arising out of the suit should be stayed for a limited period.

Accordingly, let further proceedings of T.S. Case No.150 of 2018 and Misc. Case No.2 of 2019 pending in the court of learned Civil Judge (Junior Division), 1st Court at Katwa be stayed till September 16, 2022.

[Rabindranath Samanta, J]