

08.04.2022
Item No.32
Ct. No.7
CHC
(disposed of)

**C.O.723 of 2022
(Physical Hearing)**

**Sri Biswanath Ghosh
Vs.
Deshbandhu Ghosh & ors.**

Mr. Sudip Das
...for the petitioner

The petitioner/defendant no.1 assails order dated 30th January, 2019, passed by learned Civil Judge (Senior Division), Additional Court, Sadar, in Title Suit No.471 of 2016, dismissing the suit for default due to non appearance of the plaintiff, and also for non filing of show cause by the plaintiff.

Learned advocate appearing for the petitioner submits that the even after the dismissal of the suit, no action so far has been taken by the plaintiff for the revival and/or restoration of the suit to its original file and number.

It is, thus, according to learned advocate for the petitioner, that the suit having dismissed for default there has been finality reached.

Since the impugned order *ex facie* would show the exact status of the suit, neither any interpretation nor any elaboration is called for.

The revisional application is thus disposed of with this observation.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)