

15.01.2025
Item No.13
Court No.11
Avijit Mitra

**FMA 747 of 2019
with
IA No.CAN 4 of 2024
with
IA No.CAN 5 of 2024**

**Pradip Sanyal
- Versus -
State of West Bengal & ors.**

Mr. Soumik Ganguli,
Mr. Supriyo Shasmal
...for the appellant
Mr. Satyajit Talukdar,
Mr. Arindom Chatterjee
...for the KMDA

In Re : IA No.CAN 4 of 2024 & IA No.CAN 5 of 2024

The application, IA No.CAN 5 of 2024, has been filed for the condonation of delay in preferring an application for recalling the order dated 8th June, 2023.

Upon hearing the learned advocates appearing for the respective parties and upon perusal of the averments made in the applications, we are satisfied with the explanation provided towards the delay in preferring the application for restoration and towards absence of the appellant on 6th June, 2023 when the appeal and the application being IA No.CAN 3 of 2019 were dismissed for default.

Accordingly, both the applications being IA No.CAN 4 of 2024 & IA No.CAN 5 of 2024 are allowed and the appeal

and the application being IA No.CAN 3 of 2023 are restored to their original file and numbers.

In re : FMA 747 of 2019

Mr. Talukdar, learned advocate appearing for the KMDA prays for short accommodation to clarify certain factual aspects involved in this appeal.

In view thereof, list the matter for further consideration under the heading 'To Be Mentioned' in the daily supplementary list of this Court on 12th February, 2025._

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)