

07.12.2023

Srimanta

Sl. No. 83

Ct. No. 655

***IA No.:CAN/1/2015 (Old No.:CAN/103/2015),
CAN/3/2017 (Old No.:CAN/7723/2017)
in
CO/185/2014***

KIC Resource Limited

-Vs.-

Arundhati Dey

Mr. Kamal Krishna Pathak,
Mr. Souvik Maji

...for the opposite party.

Petitioner is not represented.

Opposite party is represented through his learned Counsel, Mr. Kamal Krishna Pathak.

The instant revisional application is preferred challenging the impugned order dated 26.11.2013 passed by the learned Civil Judge (Senior Division), 2nd Court, Alipore, South 24-Parganas. It appears that the present revisional application was dismissed for default by this Court on 16.03.2017. Thereafter, a restoration application is taken out by the petitioner and the revisional application was restored to its original file and number on 12.07.2017 by the Court. The said restoration application was dismissed. Against that an application again preferred by the petitioner. It is brought to the notice of the Court by the learned Counsel appearing for the opposite party that the Title Suit being no. 1/1998 (renumbered Title Suit No. 905/2016) has already been dismissed by the Court below.

Considering the entire situation there is no necessity of keeping the revisional application alive in the list. Moreover, the petitioner is not present before

this Court today. There is reasonable ground to believe that the petitioner has lost his interest to proceed with the present application. So, there is no option left but to dismiss the present application. Accordingly, CO/185/2014 is dismissed for default.

The application praying for restoration of the dismissal of the restoration application is dismissed.

Consequently, other connected application is also hereby dismissed.

Interim order, if any, stands vacated.

Photocopy of the judgment and decree passed by the learned Trial Court in connection with Title Suit No. 1 of 1998 be kept with the record.

There will be no order as to costs.

(Prasenjit Biswas, J.)