

AD-06
Ct No.16
11.02.2025
TN

FA 123 of 2012
IA No: CAN 4 of 2024

Sri Abani Kanti Maji
Vs.

The Chairman, Property Committee, Bengal
Regional Conference and others

Mr. Surya Prasad Chattopadhyay,
Mr. Arjun Samanta,
Mr. Ankit Chatterjee,
Ms. Trishtrya Mancherji

....for the appellant

Mr. Sandip Kumar De,
Mr. Abhijit Sarkar

....for the respondent no.1

In re: CAN 4 of 2024

1. Upon hearing learned counsel for the parties and perusing the application as well as the supplementary affidavit filed today, we are convinced that there was sufficient reason for the delay in filing the application for restoration of the appeal as well as the absence of the appellant on the relevant date when the appeal was dismissed for default.
2. Accordingly, CAN 4 of 2024 is allowed, thereby recalling the order dated October 11, 2023 on condonation of delay in filing the restoration application and restoring FA 123 of 2012 along with the connected application(s) to their original file and numbers. There will be no order as to costs.
3. Since there was no observation in the order dated October 11, 2023 regarding vacating of the interim

orders which were subsisting at that point of time, it is deemed that the said orders which were subsisting at the relevant juncture automatically stand revived as on this date.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)