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21.03.2025
Ct. No.22
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IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

CO 2614 of 2019
with
IA No. CAN 1 of 2024
with
CAN 2 of 2024

Smt. Arati Ghosh
Vs.
Barun Kumar Ghosh & Anr.

with
CO 2615 of 2019
with
IA No. CAN 1 of 2024
with
CAN 2 of 2024

Smt. Arati Ghosh
Vs.
Barun Kumar Ghosh & Anr.

Mr. Mrityunjoy Goswami
Mr. P. Goswami
... For the petitioner/applicant

Mr. Suman Basu
... For the opposite parties

In re: CAN 2 of 2024 in CO 2614 of 2019
CAN 2 of 2024 in CO 2615 of 2019

1. Affidavit of service filed in Court in connection with CAN 1 of 2024 & CAN 2 of 2024 arising out of CO 2614 of 2019 is taken on record.
2. At the very outset, it is pertinent to mention that both the revisional applications were tagged together and common order was being passed.

3. On 7th December, 2023, by a common order, Hon'ble Coordinate Bench dismissed both the revisional applications.

4. Both the applications for condonation of delay for filing the restoration applications are taken up for hearing together.

5. Learned counsel appearing on behalf of the petitioner/applicant submits that reason of delay in filing the restoration applications has been explained in the applications, particularly, in paragraphs 3 and 4 and further submits that at the relevant point of time when both the revisional applications were dismissed for default, learned advocate-on-record was ill, even hospitalized.

6. Considering all facts and circumstances and after perusal of the applications, the delay is condoned.

7. Accordingly, CAN 2 of 2024 arising out of CO 2614 of 2019 and CAN 2 of 2024 arising out of CO 2615 of 2024 stand disposed of.

In re: CAN 1 of 2024 in CO 2614 of 2019
CAN 1 of 2024 in CO 2615 of 2019

8. Two separate applications for restoration have also been filed in connection with both the revisional applications.

9. Both the applications for restoration have been filed delineating the explanation for non-appearance due to

hospitalisation of the learned advocate-on-record on behalf of the petitioner/applicant.

10. The prayer for restoration is considered and allowed.

11. Accordingly, the order dated 7th December, 2023 is recalled and both the Civil Revisions, being CO 2614 of 2019 and CO 2615 of 2019, are restored to their original file and number.

12. Accordingly, CAN 1 of 2024 arising out of CO 2614 of 2019 and CAN 1 of 2024 arising out of CO 2615 of 2024 stand disposed of.

In re: CO 2614 of 2019 & CO 2015 of 2019

13. Learned counsel appearing on behalf of the opposite parties in both the revisional applications has submitted that copy of the revisional application in respect of CO 2614 of 2019 has not been served upon the opposite parties.

14. Learned counsel appearing on behalf of the petitioner in both the revisional applications undertakes to serve a copy of CO 2614 of 2019 upon the learned counsel appearing on behalf of the opposite parties within a week from date.

15. Learned counsel appearing on behalf of the petitioner in both the revisional applications has prayed for revival of the interim order promulgated initially on 9th August, 2019 and extended from time to time.

16. The prayer is allowed.

17. The interim order promulgated earlier stands revived and extended till the last week of May, 2025 or until further order, whichever is earlier.

18. Let both the revisional applications appear in the Combined Monthly List of May, 2025.

(Bibhas Ranjan De, J.)