

73 **22.01.**
2025

Ct. No. 08

ab

FA 262 of 2012
IA No. CAN 3 of 2024

Sri Manoj Kumar Agarwal
Vs.
Sri Om Prakash Brajabasi.

Mr. Saunak Bhattacharyya.
... for the appellant.

Mr. Abhinaba Dan.
... for the respondent.

Re: CAN 3 of 2024

This is an application seeking restoration of the present appeal, which was dismissed for default on 28th March 2023.

It is stated by the appellant that he was prevented by sufficient cause for not appearing on the date before this Court when the appeal is called for hearing.

The grounds mentioned in the instant application appear to be satisfactory and as such there is no impediment to allow the instant application.

Accordingly, the application for restoration is allowed. The order dated 28th March 2023 stands recalled. The appeal and the connected application, if there be any, are restored to its original file and number.

The appellant is directed to prepare and file eight copies of informal paper books – printed, typewritten or cyclostyled, as the case may be – out of court, within a period of four weeks from date.

All other formalities including the filing of the appellant's declaration regarding preparation of paper books are dispensed with.

Immediately after filing of the paper books, the department shall cause service thereof upon the

respective Counsels.

Let the appeal and the connected application, if there be any, be listed after six weeks.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)