

**11.02.
2025**

Ct. No. 08

Ab

FMA 3697 of 2014
IA No. CAN 2 of 2018 (Old No. CAN 9909 of 2018)
IA No. CAN 3 of 2023
IA No. CAN 4 of 2023
IA No. CAN 5 of 2024

Pasupati Das

Vs.

**The Members of Managing Committee represented
by the Secretary Sri Anil Kumar Pal of Howrah
Rabindra Vidyamandir (High) School and others.**

Ms. Sohini Bhattacharya.

... for the appellant.

**Ms. Koyeli Bhattacharya,
Mr. Bibek Dutta.**

... for the WBBSE.

Re: CAN 5 of 2024

This is an application for restoration of CAN 3 of 2023 and CAN 4 of 2023 by recalling the order dated 11th November 2024 whereby and whereunder the said two applications were dismissed for default on account of the absence of the appellant.

On perusal of the petition under consideration and after hearing the learned Advocates for the contending parties, we are satisfied that the appellant is successful in justifying his absence on 11th November 2024 when the aforesaid applications were called for hearing.

Accordingly, the instant application is allowed. Consequently, the order dated 11th November 2024 stands hereby recalled.

The applications being CAN 3 of 2024 and CAN 4 of 2024 are restored to its original file and numbers.

Re: CAN 3 of 2024 and CAN 4 of 2024

By filing the instant two applications the appellant has prayed for recalling the order of dismissal as passed on 25th April 2016 by condonation of delay in Lawazima.

On perusal of the petitions under considerations and after hearing the learned Advocates for the contending parties, we are inclined to allow the prayers of the appellant.

Accordingly, the delay in filing the application for restoration is hereby allowed.

The application for recalling the order of dismissal as passed on 25th April 2016 is also allowed.

Consequently, FMA 3697 of 2014 is restored to its original file and number.

The appellant is directed to put in the Talabana in course of this week positively.

Let the appeal be listed in the Monthly Combined List of cases for the month of March 2025.

(Harish Tandon, J.)

(Partha Sarathi Sen, J.)