

08.01.2024.
Court No.13
Item No. 5
ap

W.P.A. No. 4332 of 2021
With
I.A. No. CAN 1 of 2023
And
I.A. No. CAN 2 of 2023

Pradeep Kumar
Versus
Union of India & Ors.

Ms. Sumitava Chakraborty,
Mr. Abhishek Mukherjee.

...For the petitioner.

Re: CAN 2 of 2023 (Sec.5)

1. This is an application filed under Section 5 of the Limitation Act, 1963 for condonation of delay of about 87 days in filing the restoration application.
2. Having heard the learned Advocate appearing on behalf of the petitioner, as also considering the statements made in the said application, this Court is satisfied with the grounds indicated therein, as sufficiently explaining delay of 87 days in preferring the restoration application.
3. The application for condonation of delay being CAN 2 of 2023 is, thus, allowed and disposed of.
4. There will, however, be no order as to costs.

Re: CAN 1 of 2023 (Restoration)

1. Sufficient grounds are available to explain the absence of the petitioner and/or his Counsel on 22nd June, 2023 before a Co-ordinate Bench of this Court.

2. The said order is recalled and the writ petition is restored to its file and number.
3. Accordingly, CAN 1 of 2023 is disposed of.
4. There will be, however, no order as to costs.

Re: W.P.A. No. 4332 of 2021

1. Affidavit-of-service and affidavit-in-reply filed in Court today are taken on record.
2. List the matter on 17th January, 2024 under the heading “**Hearing**”.
3. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)