

MAT 336 of 2022
with
IA No. CAN 2 of 2024
(Bhubaneswar Das Vs. Union of India & Ors.)

Mr. K. B. S. Mahapatra
Ms. Arifa Sultana
Mr. Aditya Shit

.... For the appellant

Ms. Chandreyi Alam

..... For the respondents

1. Affidavit-of-service, as filed today on behalf of the appellant, is taken on record.

Re: IA No. CAN 2 of 2024

1. This is an application for restoration of MAT 336 of 2022 by recalling the order dated 04.09.2024 whereby and whereunder MAT 336 of 2022 was dismissed for default.
2. Learned advocate for the appellant submits before this Court that on account of illness of the learned advocate for the appellant, the said learned advocate could not come to the Court on 04.09.2024 and thus, MAT 336 of 2022 was dismissed for default since none appeared on the said day on behalf of the appellant.
3. Learned advocate for the respondents opposes the prayer.
4. On perusal of the petition under consideration and after hearing the learned advocates for the contending parties, this Court is satisfied that the present appellant is successful in justifying his

absence on 04.09.2024 when MAT 336 of 2022 was called for hearing.

5. Accordingly, prayer is allowed.
6. Consequently, the order dated 04.09.2024 as passed in MAT 336 of 2022 is recalled.
7. Consequently, MAT 336 of 2022 is restored to its original file and number.
8. With the aforementioned observations, IA No. CAN 2 of 2024 is disposed of.

Re : MAT 336 of 2022

1. We have been informed that the appeal is ready for hearing and paper books have been exchanged.
2. In view thereof, list the appeal for final hearing in the Combined Monthly List of March, 2025.

(Partha Sarathi Sen, J.)

(Tapabrata Chakraborty, J.)