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2025
Ct. No. 237

C.R.R. 1382 of 2018
With
IA No. CRAN 4 of 2025
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IA No. CRAN 5 of 2025
Vargab Mallik & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Saibal Basu

...For the Petitioners

Re.: IA No. CRAN 5 of 2025

Affidavit-of-service filed on behalf of the petitioners is taken on record. Opposite parties are not represented.

This is an application for condonation of delay in filing the application for restoration, being IA No. CRAN 4 of 2025 seeking restoration of the revisional application, being C.R.R. 1382 of 2018 in its original file and number, which was dismissed for default vide order dated 25th September, 2024.

Upon hearing the learned Counsel appearing on behalf of the petitioners and the grounds shown in the prayer for condonation of 76 days delay it appears to be satisfactory and accordingly the delay in filing the application for restoration is condoned.

Application, being IA No. CRAN 5 of 2025 thus stands disposed of.

IA No. CRAN 4 of 2025

This is an application wherein the petitioners have prayed for recalling the order dated 25th September, 2024 by which this Court was pleased to dismiss the main application on the ground of default and prayed for restoration of the said application in its original file and

number.

Having heard the learned Counsel appearing on behalf of the petitioner and also upon consideration of the grounds shown in the application and that the weighty consideration in such cases is that as far as possible the dispute between the parties shall be adjudicated on merit, the prayer is allowed.

Let C.R.R. 1382 of 2018 be restored to its original file and number.

The application, being IA No. CRAN 4 of 2025 is accordingly disposed of.

C.R.R. 1382 of 2018

Let the matter be listed under the heading 'Contested Application' on 25th March, 2025.

Petitioners are directed to serve a notice of restoration upon the private opposite party No. 2 and the State intimating the next date of hearing.

Petitioners will be at liberty to file supplementary affidavit, if any, in the meantime.

(Dr. Ajoy Kumar Mukherjee, J.)