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30.07
2024
Ct. No. 237

C.R.R. 1463 of 2017
Srikanta Kumar Bag
Vs.
The State of West Bengal & Ors.

Mr. Kallol Kumar Bose
Mr. Anup Dasgupta *...For the Petitioner*

Ms. Anasaa Sinha
Mr. Saryati Datta *...For the State*

IA No. CRAN 5 of 2024

Affidavit-of-service filed on behalf of the petitioner is taken on record. Postal endorsement shows that the opposite party Nos. 2 and 6 have died.

This is an application for condonation of 69 days delay in filing the application for restoration/recalling, being IA No. CRAN 4 of 2024.

It is submitted on behalf of the petitioner that the delay is not intentional and it may be condoned.

Private opposite parties are not represented.

Grounds shown in the application appears to be sufficient and it is accepted. The delay in filing the application for restoration is condoned.

Accordingly, the application for condonation of delay, being IA No. CRAN 5 of 2024 is disposed of.

IA No. CRAN 4 of 2024.

This is an application for restoration wherein the petitioner has sought for recalling the order of dismissal dated 29th April, 2024 and to

restore the application, being C.R.R. 1463 of 2017 in its original file and number.

It is submitted on behalf of the petitioner that the learned Counsel for the petitioner could not come to Court on that day due to his aged father's illness.

The grounds shown in the application is accepted for the ends of justice. The application, being C.R.R. 1463 of 2017 is restored to its original file and number.

Accordingly, the application, being IA No. CRAN 4 of 2024 is disposed of.

C.R.R. 1463 of 2017

Petitioner is directed to serve notice of restoration upon the private opposite parties intimating the next date of hearing and to file affidavit-of-service on the returnable date.

Let the matter appear under the heading 'Contested Application' in the monthly list of September, 2024.

Learned Counsel appearing on behalf of the State is directed to submit a report about the status of investigation on the date fixed.

Learned Counsel for the State is directed to produce the Case Diary on the date fixed.

(Ajoy Kumar Mukherjee, J.)