

19.07.2024
Item No.7
Ct. No.26
CHC

MAT 1483 of 2023
IA NO: CAN/3/2024

The Eastern Coalfields Limited & ors.
Vs.
Sri Akshay Bouri & anr.

Syed Nurul Arefin, Advocate
Mr. Sanju Agarwal, Advocate
...for the appellants

Mr. Arup Krishna Das, Advocate
...for the respondent no.1

1. Appellants seek recall of the order of dismissal of default dated May 6, 2024.

2. Appellants put forward a claim that, the learned advocate engaged on behalf of the appellants to conduct the appeal was engaged before another Division Bench when the appeal was called on for hearing.

3. A client need not be penalized for the default of the advocate.

4. In such circumstances, the causes shown are accepted as sufficient. Order dated May 6, 2024 is recalled.

5. MAT 1483 of 2023 along with all connected applications therein pending at that material point of time are restored to its original file and number.

6. CAN/3/2024 is disposed of.

7. List the MAT 1483 of 2023 along with connected applications on **July 26, 2024.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)