

07.08.2024.
Item No. 28.
Court No. 13
ap

F.A. No. 274 of 2013
With
I.A. No. CAN 10 of 2024
Sumit Kumar Kundu
(Madhabi Kundu since deceased) & Ors.
Versus
Subhra Kundu & Ors.

Mr. Surajit Nath Mitra, Id. Sr. Advocate,
Mr. Sayantan Bose,
Mr. Rajarshree Dutta,
Ms. Manisha Das.

...For the appellants.

Mr. Siddhartha Banerjee,
Mr. Amitava Mitra,
Mr. Paritosh Sinha,
Ms. Sonia Nandy.

...For the respondent nos.2 and 3.

Re: CAN 10 of 2024 (Restoration)

1. CAN 10 of 2024 is an application for recalling of the order dated 30th July, 2024 passed by a Co-ordinate Bench of this Court.
2. Sufficient grounds are available to explain the absence of the appellants and/or their Counsel on 30th July, 2024 before a Co-ordinate Bench of this Court.
3. The said order is recalled and the appeal is restored to its file and number.
4. Accordingly, CAN 10 of 2024 is disposed of.
5. There will be, however, no order as to costs.

Re: F.A. No. 274 of 2013

1. List the appeal under the heading “**Hearing**” in the first week of **September, 2024**.
2. Interim order, if any, in the appeal shall automatically restored.

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.)

(Ajay Kumar Gupta, J.)