

04.02.2026
Item No.28
Ct. No. 30
Aloke

**CO 209 of 2024
with
CAN 1 of 2024
CAN 2 of 2025
CAN 3 of 2025**

**Chunilal Agarwal
Vs.
State Bank of India & Ors.**

Mr. Saptarshi Roy
Ms. Kakali Das Chakraborty
..for the petitioner

Mr. Sankar Nath Mukherjee
Mr. Niraj Gupta
Ms. Manisha Paswan
...for the respondent no. 4

Ms. Priyanka Acharjee (through VC)
... for the defendant no. 1

In re : CAN 2 of 2025

1. CAN 2 of 20254 is moved praying for recalling of the order dated 29.07.2025 vide which the civil revision was dismissed for default. It is filed on 26.08.2025 which is within time.
2. Considering the grounds as made out in the application and in the interest of justice, the application being CAN 2 of 2025 is allowed and disposed of.
3. The order of dismissal dated 29.07.2025 is recalled.
4. The civil revision 209 of 2024 is restored to its original file and number.

5. In re : CAN 3 of 2025

The respondents have appeared. The application for expunging the name of the deceased defendant/opposite party no. 2 is taken for hearing.

It appears that the opposite party no. 2 had expired on 29.09.2025 leaving behind the person named in the application as legal heir and representative. The application has been filed on 13th November, 2025 annexing a copy of death certificate. Let the person named in the petition be substituted in place of the defendant/opposite party no. 2.

6. It is further submitted that other legal heirs are already on record. As such, the question of limitation does not arise.

7. It is further submitted that as the substituted legal heirs are already on record, no service is required.

8. Department to note accordingly.

9. CAN 3 of 2025 stands disposed of.

10. Matter be listed for hearing in the monthly list of March, 2026.

(Shampa Dutt (Paul), J.)