

16.07.2025
Court No.25
Item No.102
sudipta

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

**C.O. 596 of 2023
With
CAN 1 of 2025**

**Md. Ziauddin & Anr.
Vs.
Mr. V.V.S. Prasad & Ors.**

Mr. Rwitendra Banerjee
Mr. Sandip Kundu

...for the petitioners

Mr. M. Rahman

...for the opposite parties

In Re: CAN 1 of 2025

1. Leaned counsel for the petitioners submits that the application for restoration has been filed after six days of the dismissal of the petition on 23rd April, 2025. Learned counsel submits that the petitioner and or his counsel could not appear as the learned counsel was on his legs before another court. Learned counsel submits that there was no deliberate latches on the part of the petitioner.
2. Learned counsel for the opposite parties has opposed the application stating that the conduct of the petitioners has throughout been negligent.
3. The Court has gone through the record. The matter was dismissed in default on 23rd April,

2025. The restoration application has been moved on 29th April, 2025.

4. Taking into account the averments, the application for restoration is allowed subject to the cost of Rs.2000/- to be paid to West Bengal Legal Services Authority.
5. The petition shall be restored to its original file and number subject to the above condition.
6. CAN 1 of 2025 stands disposed of.
7. In the event, the above condition is complied with, the interim order will also be restored and extended till 31st August, 2025, or until further orders, whichever is earlier.

In Re: CO 596 of 2023

1. List this matter in the Combined Monthly List of August, 2025.
2. Both parties are directed to file brief written notes of argument not exceeding three pages along with the judgments they want to rely upon.

(Dinesh Kumar Sharma, J.)