

29.10.2025

Ct. No.25
Sl. No.17
Mujahid

CO 2651 of 2011
CAN 5 of 2025

Sri Narayan Chandra Das
Vs.
Rajo Bala Dasi & Ors.

Mr. Shyamal Chakraborty,
Ms. Priya Chakraborty

...for the petitioner

Mr. Md. Salauddin,
Mr. Md. Raziuddin

...for the opposite party nos.2,4 &5

1. Present applications have been moved for restoration of the petition dismissed in default on 6th January, 2025.

2. Perusal of the record indicates that the present petition was filed in 2011 and it was for the first time dismissed in default on 10th March, 2016. The restoration application being CAN 1 of 2022 and CAN 2 of 2022 were moved which were again dismissed in default on 21st December, 2022. Thereafter CAN 3 of 2023 was moved for restoration which was allowed vide order dated 22nd March, 2023. Again the petition was dismissed in default on 11th December, 2023 with the specific observation that the petitioner has lost his interest to proceed with the present case.

3. On an application being moved, the petition was restored to its original number on 22nd of November, 2024, however, the petitioner remains negligent and casual and again petition was dismissed in default on 6th January, 2025. The history of the case reveals that the petitioner has throughout been negligent and was having casual approach towards the petition. The court's dockets are already overburden. The casual and negligent approach of the petitioner cannot be allowed to further burden the courts.

4. I do not find any plausible reason to allow the application to restore the petition.

5. Hence, the application is dismissed.

(Dinesh Kumar Sharma, J.)