

OD-5

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

APOT/173/2023
WITH
ACO/1/2023
CP/214/2002
IA NO. ACO/1/2023

M/S. ANNAPURNA CAST LTD.
VS.
M/S. SUPER FORGINGS AND STEELS LTD.

BEFORE:
The Hon'ble JUSTICE ARIJIT BANERJEE

The Hon'ble JUSTICE OM NARAYAN RAI
Date : 23rd April, 2025.

Appearance:
Mr. Arif Ali, Adv.
Mr. Sarban Bhattacharjee, Adv.
...for the appellant

Mr. Anubhav Singh, Adv.
...for the respondent company

The Court : This appeal is directed against an order dated May 17, 2023, whereby a Learned Judge of this Court dismissed CA/2/2023. The application was one for restoration of CA/1/2022 which itself was an application for restoration of CP/214/2002.

We have heard learned counsel for the parties. While we do not appreciate the indolence and inaction on the part of the appellant which is a limited company and a commercial entity, taking a lenient view of the

matter, we allow this appeal and set aside the order under appeal upon the appellant paying costs assessed at Rs.20,000/- to be paid to the West Bengal State Legal Services Authority within a week from date. In default of payment of such cost, this order shall automatically stand recalled.

Resultantly, CA/2/2023 is allowed and CA/1/2022 stands revived.

APOT/173/2023 is accordingly disposed of along with the connected application being IA NO.ACO/1/2023.

(ARIJIT BANERJEE, J.)

(OM NARAYAN RAI, J.)

kc.