

**Title Appeal No – 77 of 2018**

**Present: Sri Biswarup Bandyopadhyay, Chief Judge, (WB01133)  
Order No. 44 dated 18.07.25**

Today is fixed for further hearing of the two petitions under order 22 Rule 3 CPC and petition under section 5 of the Limitation Act.

Ld Lawyer on behalf of the Appellant files hazira.

The two petitions under order 22 Rule 3 CPC and petition under section 5 of the Limitation Act are taken up for hearing.

Heard Ld Advocate for the Appellant in part.

During hearing of section 5 application it comes to notice of this Court that Title Appeal 77 of 2018 was dismissed for default on 08.02.2022 and subsequently a misc Case bearing No. 1494 of 2022 was filed on 19.04.2022 for setting aside of the order of dismissal. It is pertinent to mention that Appellant No. 3, Vinod Kumar Agarwal died on 03.01.2021, but no substitution was made within the stipulated time as per law.

Let the matter be fixed on 18-08-2025 for clarification regarding the points raised by this Court.

Chief Judge  
City Civil Court, Calcutta  
(Bench - I)