

**Misc Case No. 46 of 2024**

**Order No. 15 dated 30.04.2026**

Ld. Advocate for the petitioner is present.

The instant Misc case Under Order 41 Rule 19 CPC for setting aside the order of dismissal of ejectment appeal no. 08 of 2020 dated 22.12.2023 is taken up for hearing and order.

Heard Ld. Advocate for the petitioner and perused the instant petition and affidavit along with other materials on record. Considered.

It appears from the record that Ejectment appeal No. 8 of 2020 was dismissed for non appearance of the petitioner and non compliance of court's order. The instant Misc case has been filed against the said order praying for setting aside the order and readmitting the appeal

Upon consideration of the submission made by Ld. Advocate for the petitioner and also materials on record, I am of the view that the instant Misc case should be allowed for the ends of justice and Misc appeal should be disposed of on merit after hearing of both parties.

Hence

**ORDERED**

that the instant Misc case be and the same is considered and allowed exparte.

The order of dismissal in Ejectment appeal no. 08 of 2020 dated 22.12.2023 is hereby set aside and Ejectment appeal no. 08 of 2020 is readmitted and restored to its original file and number.

D/C by me,

ASJ-I

(Sharanya Sen Prasad)/WB-690,  
Addl. Sessions Judge ,  
1<sup>st</sup> Court, Sealdah  
South 24-Parganas