

04
09.01.2025
Ct. No. 11
Jayanta

FMA 2415 of 2013
+
CAN 5 of 2024
+
CAN 6 of 2024

Ajit Bhattacharji & Ors.
vs.
Union of India & Ors.

Mr. Shamit Sanyal
Mr. Dipjyoti Chakraborty
....For the Appellants.

Mr. Bhaskar Mukherjee
Ms. D. Dutta
....For the Respondent
Nos. 4 to 5.

Mr. R. N. Majumder
Mr. S. M. Obaidullah
Mr. Roni Chowdhuri
....For the Respondent
Nos. 6.

Ms. C. Alam
Ms. Priyanka Tibrewal
Mr. Sumita Sarkar

....For the State.

Affidavit-of- service filed by the petitioner be
kept on record.

Copies of the application has been handed over
to the learned advocate who is representing the IIT
in Court today.

CAN 5 of 2024 [Restoration]
&
CAN 6 of 2024 [Condonation of delay]

Heard the learned advocates appearing for the
respective parties and perused the averments made
in the applications.

We are satisfied with the explanation provided towards delay in preferring the application for restoration and towards absence of the learned advocate for the appellants on 4th September, 2024, when the appeal and its connected applications being CAN 5 of 2024 and CAN 6 of 2024 were dismissed for default.

Accordingly, both the applications are allowed.

Delay is condoned.

The order dated 4th September, 2024 is recalled.

The appeal being FMA 2415 of 2013 and its connected applications being CAN 5 of 2024 and CAN 6 of 2024 are restored to their respective original file and numbers.

We are informed that the pleadings have already been exchanged, and the paper books, incorporating all the necessary pleadings and the documents relied upon by the parties before the Learned Single Judge, have already been filed. The matter is now ready for hearing.

In view thereof, list the matter for final hearing in the monthly list of February, 2025.

(Partha Sarathi Chatterjee,J.) (Tapabrata Chakraborty,J.)