S/L 8.
10.02.2021
S.D.

S.A. 267 of 2008
with
CAN 3 of 2019 (Old CAN No. 6595 of 2019)
CAN 4 of 2019 (Old CAN No. 12520 of 2019)
(Not found)
CAN 5 of 2019 (Old CAN No. 12521 of 2019)
(Not found)

Mannan Sk. & Ors.
Vs.
Rohit Sekh & Ors.

Mr. Jiban Ratan Chatterjee, Sr. Adv.,
Mr. Nirmalendu Patra
Mr. Debnarayan Patra
…For the Appellants.

Affidavit of service filed with track report shows that service has been effected on the respondents.

In re: **CAN 3 of 2019 (Old CAN No. 6595 of 2019)**

This is an application for restoration of the Second Appeal on recall of the order of dismissal dated 26.6.2019.

It is submitted that learned Advocate for the appellants was on leg before another Court when the matter was called on and was dismissed for default. It appears that substantial questions of law were framed by the Division Bench of this Hon'ble Court are required to be adjudicated.

Considering one default on the part of the conducting lawyer, litigants should not suffer and, therefore, the order

2019:CHC-AS:1852

dated 26.6.2019 dismissing the appeal is hereby recalled and the appeal be restored to its original file and number. Paper Books are already made ready.

List the applications for substitution two weeks hence under the same heading.

Thus, **CAN 3 of 2019 (Old CAN No. 6595 of 2019)** is disposed of.

No order as to costs.

Urgent certified copies of this order, if applied for, be given to the parties upon compliance of the usual formalities.

(**Shivakant Prasad, J.**)