

SA 261 of 2003
With
CAN 2 of 2020 (Old No. CAN 715 of 2020)

Firoz Ahmed Mondal & Anr.
-Vs-
Ajit Molla & Ors.

Mr. Dyuriman Banerjee
Mr. Vishal Mallick ... for the appellants

Md. Nure Zaman.
Ms. Anima Chakraborty .. for the respondent

IN Re: CAN 2 of 2020 (Old No. 715 of 2020)

- 1.** This is an application seeking for recalling of the order dated 25.11.2019, by which, the instant appeal was dismissed for default.
- 2.** Learned Advocates for both the parties are present.
- 3.** It is said that on the relevant date when the order of dismissal was passed the appellant could not be present before this Court as he was prevented by sufficient reasons. The grounds as assigned in this petition for not preferring this application within the stipulated period of time as enshrined in the act, appears to be satisfactory.
- 4.** After considering the submission of the learned Advocates for the parties and after perusing the grounds as stated in the petition it appears to be satisfactory, and as such, there is no impediment in allowing this application after condoning delay.
- 5.** Accordingly, the instant application is hereby allowed and disposed of.
- 6.** The order dated 25.11.2019 is hereby recalled. The case is restored to its original file and number.

- 7.** Thus the application being **CAN 2 of 2020 (Old No. 715 of 2020)** is hereby disposed of.

IN SA 261 of 2003

- 8.** Both the parties are present before this Court
- 9.** Let the matter appear in the list on **27th August, 2025**.

(Prasenjit Biswas, J.)