

Item-
9. 08-03-2024

FA 29 of 2021
CAN 2 of 2024

sg Ct. 8

Hafiza Begum & Anr.
Versus
Supriya Chowdhury Sarcar alias Supriya Sarcar

Mr. Debrup Choudhury, Adv.
...for the appellants
Mr. Arnab Mukherjee, Adv.
Mr. R. Ghosh, Adv.
Mr. S. Manna, Adv.
...for the respondent

In Re: CAN 2 of 2024

1. This is an application for restoration of the appeal that was dismissed for default due to non-filing of paper book. It appears that in spite of numerous opportunities being given to the appellant, the paper book was not filed within time.
2. The petitioner submits that the appeal could not be filed as the appellant could not arrange funds.
3. We are not unable to accept the said submission because in spite of giving an opportunity to engage an advocate through the Legal Aid Service, she has engaged an advocate subsequent to our order dated 2nd May, 2023 and we are not convinced with the explanation offered for not being able to prepare and file paper book within the extended period. However, for the ends of justice, we permit the appellant to file the paper book upon payment of cost assessed at Rs.10,000/- to the appellant on or before 22nd March, 2024. The department shall accept the paper book subject to payment of costs. A copy of the paper book shall be served

upon the Advocate-on-Record for the respondent after the paper book is accepted by the department.

4. CAN 2 of 2024 is, accordingly, disposed of.

In Re: FA 29 of 2021

5. Let this appeal be listed on 5th April, 2024.

(Uday Kumar, J.)

(Soumen Sen, J.)