

OD-8,9 & 10

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION

IA NO. GA/55/2024
IN
CS/1147/1947
IN THE MATTER OF :
SMT. SAILI GHOSE & ORS.
VS
DEBAPRIYO SEN & ORS.

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VS
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BEFORE:

The Hon'ble JUSTICE BIVAS PATTANAYAK
Date: 19th August, 2024.

Appearance:
Mr. H.P.Basu, Adv.
For applicant
Mr. Sanjib Bandyopadhyay, Adv.
For defendnat nos. (2), 2(A) & 2(A)(i)

The Court : It appears from the record that the defendant no.2(A)(i) filed an application being GA/55/2024. Subsequent thereto the defendant no.2(A)(i) along with defendant nos.2 and 2(A) filed applications for restoration of the suit upon condonation of delay.

Mr. Basu, learned advocate submits that the defendant no.2(A)(i) has not obtained any no objection from the advocate-on-record prior to filing subsequent applications being GA/56/2024 and GA/57/2024 through another learned advocate for restoration upon condonation of delay, which is a suppression of facts before the Court.

Mr. Sanjib Bandyopadhyay, learned advocate through whom applications being GA/56/2024 and GA/57/2024 have been filed submits that *vakalatnama* furnished by defendant no.2(A)(i) does not contain endorsement of no objection of the erstwhile advocate-on-record.

In the light of the aforesaid, defendant no.2(A)(i) Smt. Sriparna Mitra alias Sriparna Mitter is directed to appear in person on the adjourned date.

Indadvertant typographical error has crept in the order dated 29th July, 2024 indicating Smt. Sriparna Mitra alias Sriparna Mitter as defendant no.2(A) in stead of defendnat no.2(A)(i). The nomenclature of the said defendant in the aforesaid order be read as defendant no. 2(A)(i).

Let these matters appear on 3rd September, 2024.

(BIVAS PATTANAYAK, J.)