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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE

IA NO. GA/5/2026
WITH TS/6/2009
In APD/3/2024
IN THE GOODS OF
AKHILESH KUMAR SINHA (DEC)
And
SANT AGARWAL
-VS-
RABI SINHA

IA NO. GA/6/2026
WITH TS/6/2009
In APD/3/2024
IN THE GOODS OF
AKHILESH KUMAR SINHA (DEC)
And
SANT AGARWAL
-VS-
RABI SINHA

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
AND
The Hon'ble JUSTICE MD. SHABBAR RASHIDI
Date : 6th April, 2026.

Appearance :
Mr. Prabal Mukherjee, Sr.Adv.
Mr. Harpal Singh, Adv.
Mr. Sounak Ghosh, Adv.
Mr. Sanjay Kr. Shaw, Adv.
Mr. Saurav Kumar, Adv.
Ms. Anindita Das, Adv.
Ms. Moumita Ganguly, Adv.
...for the appellant
Mr. Debdut Mukherjee, Adv.
Mr. Kinjal; Kumar Boral, Adv.
...for the respondent



The Court: Two applications are taken up for analogous consideration as they relate to the same order of dismissal for default.

IA GA 6 of 2026 is an application for condonation of delay while IA GA 5 of 2026 is an application for restoration.

Respondent is represented.

Considering the averments made in both the applications and for the ends of justice, the delay in making and filing the application for restoration is condoned. The order of dismissal is recalled again for the ends of justice and considering the averments made in the application.

IA GA 5 of 2026 and IA GA 6 of 2026 are allowed.

List the appeal on April 8, 2026.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)

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