

GA No. 3 of 2020
GA No. 651 of 2020
PLA No. 208 of 2014
IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY & INTESTATE JURISDICTION
ORIGINAL JURISDICTION

In the Goods of:
Radha Nath Sil (Deceased)

Before:
The Hon'ble Justice SHAMPA SARKAR
Date: 14th September 2020

Appearance:
Mr. Debdatta Sen, Advocate
Mr. M. K. Seal, Advocate
for the applicant

The Court: Notice of motion is on record. It appears from the affidavit of service filed today that a copy of the application alongwith the notice of motion were served upon the Advocate for Shri Anjan Seal, one of the parties to the proceeding under cover letter dated March 11, 2020. It also appears that on March 11, 2020 and March 12, 2020 Notice of Motion alongwith the application were also served on Sri Adwaita Seal and Sri Sham Seal who are also parties to the proceeding. Receipt of such service has also been annexed alongwith the item delivery reports. Despite service none appears for the respondents.

This is an application for recalling of the order dated February 6, 2019 by which GA No. 2499 of 2019 was dismissed for default.

After perusing the grounds stated in paragraphs 3 to 6 of the application the Court is satisfied that the applicant was prevented by sufficient cause from

not attending the Court when the matter was called on February 6, 2020 and dismissed for default in view of the non-appearance of the applicant.

GA No. 3 of 2020 is allowed.

GA No. 2499 of 2019 arising out of PLA No. 208 of 2014 is restored to its original file and number.

The applicant is directed to communicate this order to the respondents within a week from date.

(Shampa Sarkar, J.)