

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

SAT/13/2024
IA No.CAN/1/2026

Smt R. Devika
Vs
Shri Deb Prasad Mistry

Mr. KMB Jayapal ... for the appellant

April 21, 2026
[SR]
Item No.30

Re: CAN/1/2026 (Restoration)

1. From a perusal of the averments made in the application and the materials annexed thereto, it is evident that sufficient cause for the absence of the petitioner on the relevant date has been made out.

2. Since, on the date of dismissal of the appeal for default, none had appeared for either of the parties, including the respondents, by invoking the provisions of Order 9 Rule 4 of the Code of Civil Procedure, read with Section 107 thereof, notice on the respondent is dispensed with and the application is taken up for hearing *ex parte*.

3. As sufficient explanation has been furnished for the absence of the appellant on the relevant date, CAN/1/2026 is allowed, thereby recalling the order dated February 25, 2026, whereby SAT 13 of 2024 was dismissed for default, and restoring the said appeal to its original number and file.

Re: SAT/13/2024

4. Let the appeal be listed for hearing in the next Circuit.

(Sabyasachi Bhattacharyya, J.)