

MC 3729/2010
BEFORE
HON'BLE MR JUSTICE I A ANSARI

By making this application, the applicant has sought for restoration of the appeal, namely, MAC Appeal No. 171/2004, which was dismissed for default on 24.08.2010.

Heard Mr. A. K. Roy, learned counsel, appearing on behalf of the applicant. None has appeared on behalf of the opposite party to oppose the prayer of the applicant.

Having considered the reasons assigned in the application and having heard the learned counsel for the applicant, this Court is satisfied that the absence of the petitioner and his counsel from the Court on 24.08.2010 was for reasons beyond their control.

In view of the above and in the interest of justice, the order, dated 24.08.2010 aforementioned, is hereby set aside and MAC Appeal No. 171/2004, aforementioned is hereby restored to file.

This Misc. Case shall stand disposed of in terms of the above observations and directions.