

MC 1175/2011

BEFORE

HON'BLE MR S JUSTICE ANIMA HAZARIKA

Heard Mr N Hoque, learned counsel appearing for the applicant. Also heard Mr K. Basar, learned counsel appearing for the respondents.

This miscellaneous application has been filed for restoration of the second appeal being RSA No. 57/2001 which was dismissed for default vide order dated 16.03.2011.

Upon perusal of the statements made on oath in the application, I am satisfied that this is a fit case to restore it on file. Accordingly, the order dated 16.03.2011 dismissing the second appeal for default is recalled. Consequently, the second appeal being RSA No. 57/2001 is restored to file.

This miscellaneous application is accordingly allowed and disposed of.