

Party Name : AMRIT CHOUDHURY Vs THE STATE OF TRIPURA

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THE HONBLE MR JUSTICE U. B. SAHA THE HONBLE MR. JUSTICE S.TALAPATRA

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Pursuant to the order dated 11.03.2015 Mr. Somik Deb, learned counsel, who was appointed as a legal aid counsel, has filed his reply to the show-cause notice and appeared in person. We have also perused the reasons for delay as explained in the condonation petition. According to us, the delay has been properly explained. Thus, the delay in preferring the appeal is condoned. So far the reply to the show cause notice of Mr. Deb is concerned we are of the opinion that Mr. Deb did not discharge his duties as a legal aid counsel. He should have informed the convict-appellant regarding his opinion as he revealed in his reply that there was no merit to file the appeal, which he has not done in this case. When a counsel is appointed to defend a convict as a legal aid counsel he should discharge his duties earnestly and honestly. In the instant case, it appears from the record that Mr. Deb withheld the records received from the Jail Authority for a period near about seven years without asking anyone to collect the records. More shocking is that he has not even expressed regret for what has culminated for his conduct. Considering the above facts and circumstances, the Legal Services Authority is directed not to engage Mr. Deb as legal aid counsel in future for any case. A copy of this order be sent to the Member, Secretary, Tripura State Legal Services Authority. With the aforesaid order, the instant CM application is disposed of.