

Party Name : CHAYA RANI DEB & 4 ORS. Vs L.A. COLLECTOR & ANR

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THE HONBLE MR. JUSTICE S.C.DAS

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Heard learned counsel Mr. G.K.Nama appearing on behalf of learned counsel, Mr. D. K. Biswas for the petitioner.

This is a petition under Section 5 of the Limitation Act seeking condonation of delay of 213 days in filing application for setting aside of abatement because of the death of sole appellant Santosh Chandra Deb in connection with L.A. Appeal No.1 of 2011.

It is submitted that Santosh Chandra Deb died on 01.06.2011 but the legal representatives could not take steps in time because of their lack of knowledge.

Learned G.A. fairly submits that regarding condonation of delay he has no knowledge.

In view of the submission made by learned counsel of both sides and taking into account the explanation given, delay in filing the petition seeking setting aside of abatement is allowed.

CM application accordingly stands disposed of.