

Party Name : NANTU DAS 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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The instant application is filed for condoning the delay of 1841 days in preferring the appeal against the judgment and order dated 24.07.2010 passed by the Sessions Judge, South Tripura, Udaipur in Sessions Trial case No. 11 (ST/U) of 2010 wherein the applicant appellant was convicted under Sections 302/326/323 of the IPC and sentenced to suffer R.I. for life and to pay a fine of Rs.5000/- for commission of offence punishable under Section 302 of the IPC in default to suffer further R.I. for 3 months and also 5 years R.I. with fine of Rs.3000/- in default to suffer further R.I. for one month for commission of offence punishable under Section 326 of the IPC and also six months S.I. for commission of offence punishable under Section 323 of the IPC.

Heard learned counsel appearing for the parties and also perused the reasons for delay, as explained in the application.

According to us, the delay has been properly explained and the same is satisfactory.

In view of the above, the delay of 1841 days in preferring the appeal is hereby condoned.

The High Court Legal Services Committee is directed to take appropriate action against Sri Suman Bhattacharji, learned counsel who was

engaged by the Legal Services Committee for giving the legal aid to the present applicant appellant and without filing the appeal he retained the file with him for 359 days and it is to be noted here that this is not the first time that Mr. Bhattacharji has not filed the appeal in time having been engaged by the High Court Legal Services Committee.

The instant application is hereby disposed of.