

02.03.2021.
Item No. 35

F.A. 143 of 1999
With
C.A.N. 3 of 2012 (Old No. C.A.N. 2152 of 2012)
C.A.N. 6 of 2020

Pratap Chandra Sinha
Vs.
Smt. Bidyut Kana Mitra and others.

Mr. Goutam Das,
Mr. Bikram Sarkar.
... for the appellants.

Ms. Kabita Mukherjee,
Mr. Manas Dasgupta.
... for the respondent no. 10.

Mr. Subhbrata Dutta.
... for the police authorities.

In the order dated 22nd February 2021 the appellant was directed to appear personally before this Court on the next date of listing of the matter and the respondent no. 10 was directed to communicate the order to the Officer in-Charge of the concerned police station where the appellant was residing, indicating that the Officer in-Charge was required to secure the physical presence of the appellant before this Court on the next date.

Today, Mr. Bikram Sarkar, learned Advocate, appears on behalf of the appellant and submits that since his client has joined a new employment in Assam and his wife is suffering from cancer, in spite of his best intention, he could not appear before this Court.

Mr. Subhabrata Dutta, learned Advocate, appears on behalf of the concerned police officials

through video-conference and submits that since the appellant was not available within the State of West Bengal it was not possible on the part of the police officials to ensure his presence today.

Be that as it may, we feel that in view of the explanation offered by the learned Advocate for the appellant, the appellant should be given another opportunity to appear before this Court.

Accordingly, the appellant is directed to appear personally before this Court on 9th March 2021 at 10.30 a.m. positively, when the matter would be listed. Failing which, it is cautioned that this Court will be compelled to take stringent steps against him.

Put up the matter as directed above.

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(Harish Tandon, J.)

(Kausik Chanda, J.)