

14.01.2021
12
ns Ct.04

**M.A.T. 423 of 2018
With
CAN 8540 of 2018**

**Soumitra Sengupta.
Vs.
The State of West Bengal & Ors.**

Re: CAN 8541 of 2018

None appears.

Perusal of the memorandum and order sheet shows the appeal is defective as out of time. By order dated 11th June, 2019 coordinate Bench dismissed the application for condonation of delay. Application for restoration was ultimately allowed by order dated 29th August, 2019, passed by same coordinate Bench. The position was thus restored to the appeal being defective as out of time. The application for condonation of delay remains filed and to be moved.

Before this Bench, there is record of absence of parties on 12th and 13th January, 2021. As such, we are convinced that applicant /appellant has lost interest. The application for condonation of delay is dismissed.

The appeal not being there in eye of law, nothing further need be said about it and the stay application.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)

