

15.02.2021.
Item No. 1

**F.A.T. 2520 of 2006
With
C.A.N. 4738 of 2006**

**Indian Oil Corporation Ltd.
Vs.
Joydeb Das and others.**

**Ms. Shebatee Dutta,
Mr. Amit Meharia,
Ms. Paramita Banerjee,
Ms. Subika Paul.**

... for the appellant.

It is submitted on behalf of the appellant that an e-mail has been received from the appellant showing its intention not to proceed with the instant appeal. It is further indicated therein that pursuant to the award of the Land Acquisition Court the decretal amount has been deposited after the instant appeal was filed before this Court and in view thereof the instant appeal has become virtually infructuous. Such e-mail is kept with the record.

However, it appears from the record that an application for condonation of delay in preferring the appeal is pending.

Be that as it may, since the appellant does not intend to proceed with the instant appeal, the application for condonation of delay being CAN 4738 of 2006 is dismissed for 'non-prosecution'.

ab

(Harish Tandon, J.)

(Abhijit Gangopadhyay, J.)

