

07.03.2022
Ct. No. 42
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CRMSPL 1 OF 2018
with
I. A. No. CRAN 1 OF 2018
(Old No. CRAN 4 OF 2018)

Smt. Chandana Sarkar
vs.
The State of West Bengal & Ors.

In Re : Application for Special Leave to Appeal under Section 378(4) of the Code of Criminal Procedure, filed on 4th April, 2016.

By an order dated 31st January, 2018 the petitioner was directed to serve the copy of the application under Section 5 of the Limitation Act to the private opposite party. Till date, no affidavit of service has been filed on behalf of the petitioner. The petitioner has not taken any step to move the application. From the record it appears that after filing of the application for Special Leave to Appeal, the petitioner did not take any step to proceed with the case.

The conduct of the petitioner shows that he is not willing to proceed with the instant application. Therefore, the application under Section 5 of the Limitation Act is rejected for non-prosecution.

The application under Section 5 of the Limitation Act being rejected for non-prosecution, the application for Special Leave to Appeal is also rejected.

(Bibek Chaudhuri, J.)