

06.04.2022
SL No.5
Court No.8
(gc)

FMAT 104 of 2017
With
CAN 1 of 2017
(Old No: CAN 1351 of 2017)
with
CAN 2 of 2017
(Old No: CAN 1371 of 2017)

The General Manager, Eastern Railway
Vs.
Smt. Mariyam Bibi

The appellant is not represented, nor any accommodation is prayed for even in the second call.

It appears from the report of the Additional Stamp Reporter dated 4th February, 2017 that there is a delay of 183 days in preferring the memorandum of appeal.

Since we are of the view that the appellant is not interested to proceed with the appeal and the applications, the application for condonation of delay being CAN 1371 of 2017 stands dismissed for default.

In view of dismissal of the application for condonation of delay on default, the appeal and the application for stay cannot survive, as they are time-barred unless the application for condonation of delay is allowed.

Hence, the appeal being FMAT 104 of 2017 and the application being CAN 1351 of 2017 stand dismissed as time barred.

This order shall immediately be communicated to the learned Commissioner, Employees' Compensation, (3rd

Court), Kolkata, West Bengal in claim case no.271 of 2007.

The learned Registrar Administration (L&OM) shall ensure the communication of this order to the said learned Commissioner.

(Ajoy Kumar Mukherjee, J.)

(Soumen Sen, J.)