

In the matter of: M/s. Muralidhar Rakkumar.

Mr. Amajit De
...for the petitioner.

This is an application for condonation of delay in filing the application for special leave to appeal.

Affidavit of service be kept with the record.

It appears from the affidavit of service that the State of West Bengal, opposite party no. 1 has been served. Service has been effected also upon the opposite party no. 4. So far as the opposite party nos. 2 and 3 are concerned, the service has not been effected on the ground that they were not found in the address mentioned in the envelop. However, it is found that the addresses of the opposite parties were recorded on the basis of the address given in the petition of complaint.

For the reasons stated above, I hold that service has been effected in accordance with law upon the opposite parties.

The application for condonation of delay is taken up for hearing.

The petitioner has stated in paragraphs 5 and 6 of the application the reasons for delay of 49 days in filing the special leave to appeal.

On perusal of the averment made in paragraphs 5 and 6, this Court is of the view that delay in filing the application for special leave to appeal is sufficiently explained.

Therefore, the application under Section 5 of the Limitation Act is allowed.

The special leave to appeal is condoned.

In re: **CRMSPL 9 of 2020.**

This is an application for special leave to appeal against the judgment and order of acquittal passed by the learned Metropolitan Magistrate, 16th Court at Calcutta in Complaint Case No. 589 of 2002.

I have perused the application for special leave to appeal and the same is allowed.

The petitioner is directed to file memorandum of appeal within 30 days from the date of this order.

(Bibek Chaudhuri, J.)