

05.05.2022

Sl. No. 09

Srimanta

Ct.No. 42

IA No.:CRAN/1/2018 (Old No.:CRAN/454/2018)
in
CRMSPL/23/2018

In the matter of : **Central Bureau of Investigation**
represented by Dy. SP, CBI, ACB, Kolkata.

...appellant.

Mr. Samrat Goswami, Adv.

...for the appellant.

Re : IA No.:CRAN/1/2018 (Old No.:CRAN/454/2018)

In spite of service of notice, the opposite party is not represented. I have no other alternative but to take up the application under Section 5 of the Limitation Act for *ex parte* hearing.

By filing the application under Section 5 of the Limitation Act the petitioner has prayed for condonation of delay by 229 days in filing the application for special leave to appeal. On perusal of paragraph 4 of the application this Court is of the view that the petitioner has been able to establish sufficient ground and delay in filing the application for special leave to appeal was properly explained.

Accordingly, delay is condoned. The application under Section 5 of the Limitation Act is **allowed**.

Re : CRMSPL/23/2018

Perused the application and the impugned judgment. There is sufficient ground for the petitioner to file appeal against the impugned judgment. Accordingly, leave is

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

CRMSPL 23/2018 is, thus, **disposed of**.

(Bibek Chaudhuri, J.)