

06.04.2022
SL No.7
Court No.8
(gc)

FMAT 294 of 2017
With
CAN 1 of 2017
(Old No: CAN 3604 of 2017)
with
CAN 2 of 2017
(Old No: CAN 3614 of 2017)

The General Manager, Eastern Railway
Vs.
Smt. Kamela

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 17th March, 2017 that there is a delay of 752 days in preferring the memorandum of appeal.

The appellant has filed an application for condonation of delay being CAN 3604 of 2017. The said application is bereft of any application for the delay caused in preferring the appeal. The Court cannot mechanically allow the prayer for condonation of delay when the appellant was failed to inspect the cause of delay with some particulars and explanations.

In absence of any sufficient cause being shown for the delay of 752 days in preferring the appeal, the application for condonation of delay being CAN 3604 of 2017 stands dismissed.

In view of dismissal of the application for condonation of delay, the appeal being FMAT 294 of 2017 and the

application being CAN 3614 of 2017 stand dismissed as time-barred.

This order shall immediately be communicated to the learned Commissioner, Employees' Compensation, (1st Court), West Bengal in claim case no.197 of 2010.

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.)