

D/L6
August 2,
2022
Bpg.

CRMSPL 29 of 2022
With
CRAN 1 of 2022

M/s. Shalimar Paints Ltd.
Versus
Sunil Kumar Singh and another

Ms. Sayanti Santra.
...for the petitioner.

Ms. Manisha Sharma.
...for the State.

In Re: CRAN 1 of 2022.

Affidavit-of-service so filed on behalf of the petitioner be kept with the record.

In spite of service, none appears on behalf of the opposite party no.1.

Learned advocate for the petitioner submits that the subject matter of challenge relates to an order dated 21.11.2016 passed by the learned Metropolitan Magistrate, 16th Court, Calcutta wherein the complaint case was dismissed and disposed of for non-appearance of the complainant and the accused acquitted under Section 256(1) of the Code of Criminal Procedure.

There has been a delay in preferring the Special Leave to Appeal.

Having regard to the reasons so assigned in the application for condonation of delay and the subject matter under challenge, I am of the opinion that the grounds so assigned are justifiable. Accordingly, the prayer for condonation of delay is

allowed.

Thus, CRAN 1 of 2022 is allowed.

In Re: CRMSPL 29 of 2022.

The petitioner has prayed for leave to file memorandum of appeal in respect of the order dated 21.11.2016.

On perusal of the said order, I find that there are substantial reasons for the petitioner to be aggrieved. Accordingly, leave is granted to the petitioner to file memorandum of appeal within a period of 30 days from date.

Thus, CRMSPL 29 of 2022 is allowed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)