

26.09.2022
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M.A.T. No.911 of 2022
With
I.A. No. CAN 1 of 2022
With
I.A. No. CAN 2 of 2022

M/s. Indo Mining Equipments Ltd.
Vs.
State of West Bengal & Ors.

Mr. Rananeesh Guha Thakurta,
Ms. Senjuti Sengupta ... for the appellant/applicant.

Mr. Suvadip Bhattacharjee,
Mr. Balaram Patra ... for the respondent no.4.

Re: CAN 1 of 2022

This application has been filed to condone the delay of 269 days in filing the appeal.

We have perused the affidavit filed in support of the application and we find that no sufficient cause has been shown by the applicant for condoning of the delay of 269 days in filing the appeal. Furthermore, we find that the learned Single Bench has dismissed the writ petition primarily on the ground that after a period of two days, the order passed by the Second Industrial Tribunal was put to challenge in the writ petition apart from agreeing with the findings of the learned Tribunal. In the absence of sufficient cause being shown, we cannot exercise any discretion in favour of the applicant in condoning the delay.

For the above reasons, the application is dismissed. Consequently, CAN 2 of 2022 is also dismissed and the appeal stands rejected.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. Sivagnanam, J.)

(Supratim Bhattacharya, J.)