

04.03.2022
Item No.09
Suman
Ct.42

(Via Video Conference)

CRMSPL 92 of 2016
With
CRAN 1 of 2016 (Old CRAN 3613 of 2016)

M/s. AKAI Consumer Electronics India Ltd.
Vs.
State of West Bengal & Ors.

This is an application for Special Leave to Appeal filed by the complainant against the judgment and order of acquittal passed in Complaint Case No. CS/414301/14. The application for Special Leave to Appeal was filed on 14th September, 2016. The said application was hopelessly barred by limitation by 243 days and an application under Section 5 of the Limitation Act was filed. By an order dated 27th September, 2016, this Court directed the petitioner to serve a copy of the application under Section 5 of the Limitation Act upon the opposite parties. But the petitioner has not complied with the said order. The matter is unnecessarily pending for almost six years.

Considering the fact that the complainant has not taken any step for the last six years in connection with the application under Section 5 of the Limitation Act and the application for Special Leave to Appeal, it is

presumed that the petitioner is not willing to proceed with the case.

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

As the application for Special Leave to Appeal is barred by limitation, the same is also rejected for non-prosecution.

(Bibek Chaudhuri, J.)