

28.04.2023

Court No.35
Item No. 78

D.Hira

CRA 443 of 2010

**Rahit das @ Rohit Das
Vs.
The State of West Bengal**

In this appeal pertaining to the year 2010, no one is representing either of the appellant or the State.

Record reveals that along with this appeal, the appellant has preferred an application under Section 5 of the Limitation Act, with his prayer to condone the delay of 1329 days in filing this appeal.

On perusal of the prayer as above and the grounds taken by the appellant to bring on record the attributes like sufficiency of those, this Court finds the same to be not convincing enough to allow petitioner's prayer as above. The reasons stated to be the cause of delay are not sufficient and not adequately explained.

Considering the same and the period of pendency of this appeal and also considering the fact that in spite of long pendency of this matter, no one is representing the appellant, this Court takes up the prayer of the appellant as above in absence of the parties and dispose it of by rejecting appellant's petition under Section 5 of the Limitation Act.

Hence, the appeal is accordingly dismissed.

(Rai Chattopadhyay, J.)