

Item-31. 21-08-2023

sg Ct. 8

MAT 1027 of 2013
CAN 1 of 2013 (old CAN 6926 of 2013)
CAN 2 of 2013 (old CAN 6927 of 2013)

Arup Kumar Samanta & Anr.
Versus
The State of West Bengal & Ors.

Mr. Bidyut Baran Biswas, Adv.
Mr. Ranjit Rath, Adv.
Mr. Alak Chakraborty, Adv.
...for the appellants

Ms. Tapati Samanta, Adv.

...for the State

1. CAN 1 of 2013 (old CAN 6926 of 2013) is an application for condonation of delay. There is a delay of 143 days in preferring the memorandum of appeal. Sufficient cause being shown for not being able to prefer the appeal within the period of limitation.
2. The delay in filing the appeal is hereby condoned. CAN 1 of 2013 (old CAN 6926 of 2013) is therefore, disposed of.
3. The learned Counsel for the appellants submits that the appellant no.1 has expired during the pendency of the appeal and the appellant no.2 is not willing to proceed with the appeal.
4. In view thereof, the appeal and the stay petition stand dismissed. However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)