

10.06.2024
Item No.49
gd/ssd

MAT/196/2023
IA NO: CAN/1/2023, CAN/2/2023
RAJKUMAR SASMAL
VS
ASHOK SAMANTA AND ORS.

Ms. Pampa Dey (Dhabal)
..for the Appellant.

Mr. Tanmoy Mukherjee,
Mr. Kamal Mishra,
Mr. Souvik Das,
Mr. Rudranil Das,
Mr. Tapas Chatterjee,
Mr. K. Raihan Ahamed
..for the Respondent No.1.

Re: CAN 1 of 2023

1. CAN 1 of 2023 has been filed by the appellant seeking condonation of delay of 88 days in filing this appeal.

2. Learned counsel for the appellant has referred to the explanation which has been furnished in the application and also has made submission in respect of the explanation for the delay.

3. We find that the delay in filing this appeal has been sufficiently explained and the appellant was prevented from filing the appeal within time on account of bona fide reason.

4. Hence, CAN 1 of 2023 is, accordingly, allowed.
The delay in filing the appeal is condoned.

Re: MAT 196 of 2023

5. We have heard the learned advocates for the parties.

6. Considering the facts and circumstances, we find that the order and direction issued by the learned Single Bench to be appropriate and does not call for any interference.

7. Accordingly, the appeal stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)