

**08.12.2023**

**Sl. No.: 1**

Court No.30

BM

**CRR 417 of 2019**

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**IA No.: CRAN 1 of 2023**

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**IA No.: CRAN 2 of 2023**

**Subhankar Paul**

**Vs.**

**The State of West Bengal**

Mr. Debasish Kar(via video conference)

Mr. Shyamal Krishna Deb

... for the petitioner

Ms. Rita Datta

... for the State

**Re : IA No.: CRAN 2 of 2023**

IA No.: CRAN 2 of 2023, preferred under Section 5 of the Limitation Act, pending till date is taken up for hearing. By the instant application, the petitioner has prayed for condonation of delay in filing the present revisional application. It is submitted that on that very date he was moving another application before another Bench for which he could not appear in time which is the reason for dismissal of the application. As such in the interest of justice, he has prayed for said condonation of delay.

Considering the grounds as made out and in the interest of justice delay is condoned.

Application being IA No.: CRAN 2 of 2023 is allowed.

**Re : IA No.: CRAN 1 of 2023**

IA No.: CRAN 1 of 2023 is moved by the learned counsel for the petitioner in presence of the learned counsel for the State praying for restoration of the revisional application dismissed for default on 13.02.2023.

Considering the grounds as made out in the petition and

in the interest of justice, the restoration application being IA No.: CRAN 1 of 2023 is allowed. The order of dismissal dated 13.02.2023 is recalled. Criminal Revision No.417 of 2019 is restored to its original file and number.

IA No.: CRAN 1 of 2023 stands disposed of.

It appears that service upon the opposite party no.2 is not complete in the present case. Accordingly, the petitioner will take necessary step to effect service upon the opposite party no.2 and file affidavit of service on the next date.

Let the matter appear in the monthly list of January, 2024.

**( Shampa Dutt (Paul), J. )**