

26.02.2024
Item No.7
Ct. No.1
RP/PG

M.A.T. 1594 of 2023
With
IA No. CAN 1 of 2023
+
CAN 2 of 2023

Siraj Lutfar Rahaman
Vs.
The State of West Bengal & Ors.

Mr. Shuvro P. Lahiri
Sk. Nizamuddin
Ms. Barnali Gupta

.....for the Appellant

Mr. Ansar Mondal, Ld. A.G.P.
Sk. Md. Galib
Mr. Md. Iddrish
Ms. Sujata Mukherjee

.....for the State

In Re. IA No. CAN 1 of 2023

1. We have heard Mr. Lahiri, learned advocate appearing for the appellant and Md. Galib, learned advocate appearing for the State.
2. There is an application for condonation of delay of 530 days in filing the appeal. We have perused the affidavit filed in support of the petition and we find that the explanation given is not satisfactory, but however, we do not wish to foreclose the avenues open under the law to the appellant.
3. Accordingly, I.A. No.CAN 1 of 2023 is allowed and the delay in filing the appeal is condoned.

In Re. : M.A.T. 1594 of 2023

4. This intra-Court appeal by the writ petitioner is directed against the order dated 2nd March, 2022 in W.P.A. 13239 of 2021. The writ petition was filed alleging police inaction.
5. We find that the complaint was lodged in the year 2020 and the writ petition was filed in the year 2021 and the same was disposed of in March, 2022 and the present appeal has been filed at this juncture.
6. Thus, if the writ petitioner still has any grievance, it will be well open to the petitioner to lodge a police complaint before the concerned police.
7. With the aforesaid liberty, the appeal along with the connected application (CAN 2 of 2023) stand disposed of.
8. No costs.
9. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)