

03.01.2024

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PG/KS

Ct. No.1

M.A.T. 1999 of 2023
With
I.A. No. CAN 1 of 2023
With
I.A. No. CAN 2 of 2023

Anita Samaddar (Ukil)
Versus
Jayanta Sen & ors.

Mr. Subhojit Seal
Mr. Dibyendu Ghoshfor the appellant

Mr. Sk. Md. Galib
Ms. Sujata Mukherjeefor the State

Mr. Ayan Bhattacharjee
Mr. Samrat Choudhury
Mr. Anit Dey.....for the respondent no.1/
writ petitioner

In Re:. I.A. No. CAN 1 of 2023

1. We have heard the learned advocates for the parties.
2. There is delay of 304 days in filing the appeal. We have perused the affidavit filed in support of the petition and we find that sufficient cause has been shown for not being able to prefer the appeal within the period of limitation.
3. I.A. No. CAN 1 of 2023 is allowed and the delay in filing the appeal is condoned.

In Re:. M.A.T. 1999 of 2023

4. This intra-Court appeal by the appellant is directed against an interim order dated 4th November, 2022 passed in W.P.A. 17557 of 2022.
5. It is submitted by the learned advocate appearing for the respondents/State that the writ petition itself has been finally disposed of by order dated 5th December, 2022.
6. Hence nothing survives in this appeal and the same is dismissed.
7. No costs.
8. 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

(SUPRATIM BHATTACHARYA, J.)