

16.05.2024
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as

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

**MAT 17 of 2024
with
CAN 1 of 2024
with
CAN 2 of 2024**

**M/s. Construction Enterprise
Vs.
The State of West Bengal & Ors.**

Mr. Joyjit Choudhury, Id. AAG,
Mr. Subir Kumar Saha, Id. AGP,
Mr. Momenur Rahman.
...for the State.

Mr. Sanjay Mukherjee.
...for the Respondent No.4.

1. Appeal is barred by limitation.
2. Nobody appears for the appellant.
3. Learned Additional Advocate General appears for the State and submits that the project is nearing completion. This is endorsed by the learned Advocate for the successful contractor i.e. respondent no.4.
4. Under such circumstances, application for condonation of delay is dismissed for default. Consequentially, the appeal is dismissed as barred by limitation.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)