

AD- 6
Ct No.16
06.02.2025
(SSS)

FAT 250 of 2018
With
CAN 1 of 2021
With
CAN 2 of 2021

Union of India and Anr.

Vs.
Bimal Hembrom and Ors.

Mr. Atarup Banerjee

....For the Appellants.

Mr. Soumya Ray,
Ms. Reshmi Mukherjee

....For the Respondents.

Re: CAN 1 of 2021

1. CAN 1 of 2021 is taken up for hearing.
2. The said application is for condonation of delay in preferring the appeal. The affidavits-in-opposition filed to the said application and the stay application are kept on record.
3. Upon hearing learned Counsel for the parties and going through the averments made in the condonation application and the affidavit-in-opposition thereto, we find that no cogent explanation

whatsoever has been furnished for the inordinate delay of 2447 days in preferring the appeal.

4. It is well-settled that the State (here, the Union of India) is not a favoured litigant and although the span of the delay is not important, the sufficiency of the explanation matters. We find that no explanation has been given whatsoever for the said delay. Accordingly, CAN 1 of 2021 is dismissed on contest without any order as to costs.

Re: CAN 2 of 2021

5. Accordingly, FAT 250 of 2018 stands dismissed as time barred. Consequentially, CAN 2 of 2021 is also dismissed. No order as to costs.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)