

4th November,
2025
(AK)
09

S.A. 85 of 2006
IA No: CAN 10918 of 2012
CAN 10919 of 2012
CAN 10920 of 2012
CAN 10929 of 2012

Abdul Ajij and others
Vs.
The Collector of West Dinajpur and others

Mr. Suprobhat Bhattacharya
Mr. Habibur Rahman

...for the appellants.

Mr. Susovan Sengupta
Mr. Subir Pal

...for the respondents.

1. CAN 10919 of 2012 is an application for substitution of the heirs and legal representatives of the original appellant no.1-Abdul Ajij and appellant no.2-Abdul Wahed, both since deceased.
2. The said deceased persons met their demise respectively on November 28, 2004 and February 2, 2010.
3. However, despite the substitution application having been filed long after the expiry of the statutory limitation period, till date, over the long period of thirteen years from the filing of the substitution application, the appellants did not find time to file any application for condonation of delay in filing the same and/or for setting aside abatement.

4. As such, CAN 10919 of 2012 is dismissed as time-barred.
5. Consequentially, the restoration application bearing CAN 10918 of 2012 and the connected condonation application bearing CAN 10920 of 2012 also stand dismissed as time-barred/abated.
6. As a result, the stay application, bearing CAN 10929 of 2012, is also dismissed.
7. Since the appeal was already dismissed previously for non-compliance of the court's order, no further order need be passed in respect of the appeal.
8. The appeal, along with the above applications, be reflected to have been disposed of in the Case Information System of this court.
9. There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)