

In the Court of Sessions Judge, Paschim Medinipur.

Criminal Appeal No.44 of 2025

J.O. Code No.WB 01246

R. No.44/2025, CNR No.WBWM01 005522 2025

Order No.09 dated 09.07.2026,

Today is fixed for hearing on the point of Limitation and admission and order against O.P. Nos.1 & 2.

Appellant filed hazira through Lawyer.

Ld. Advocate for the appellant files postal Track Reports along with receipts from where it appears that service through speed post upon O.P. Nos.1 and 2 was properly served, in spite of that the said O.P.s did not appear to contest the case. So the case be fixed ex-parte against O.P. Nos.1 and 2.

Now the case is taken up for hearing on the point of Limitation.

Ld. Advocate for the appellant submitted that he has filed an application for condonation of delay for 76 days in filing the appeal. Ld. Advocate for the appellant has further submitted that only 76 days delay may kindly be condoned with cost.

Heard Ld. Advocate for the appellant.

The cause shown in the petition u/s 5 of the Limitation Act is sufficient. As such, the delay of 76 days is hereby condoned subject to payment of cost of Rs.1,000/- to the D.L.S.A, Paschim Medinipur, in order to provide substantial justice.

The petition u/s 5 of the Limitation Act is thus disposed of.

Consequently the appeal is **admitted**.

Call for T.C.R.

Let the instant appeal be transferred to the court of Ld. Additional District Judge, 4th Court, Paschim Medinipur, for disposal.

The Appellant is directed to take all necessary step before the Transferee Court.

The Ld. Trial Court is requested to send the TCR directly to the Transferee Court on or before the date fixed.

Fix 25.08.2026 for appearance of the Appellant before the Transferee Court and filing receipt showing deposit of cost.

Note in the relevant register.

Let a copy of this order be sent to the Trial Court for compliance.

Dictt. and corrt. by me,

S.J.

Sessions Judge,
Paschim Medinipur