

21,DL,Ct.18
06.09.2021
AJ.

S.A.T. 470 of 2015
I.A. No.: C.A.N. 1 of 2016 (Old C.A.N. 9914 of 2016)
(Via Video Conference)

Smt. Basanti Sen
-Vs-
Kalicharan Dutta & Ors.

Mr. S.T. Mina,
Mr. Sudip Pal Chaudhury,
.....for the appellant/
petitioner.

C.A.N. 1 of 2016 (Old C.A.N. 9914 of 2016)

Affidavit of service filed in Court today be kept on record. In spite of service None appears on behalf of the respondents/opposite parties to oppose the application.

This is an application for condonation of delay of 150 days in filing the present second appeal.

The petitioner in the said application has stated that due to her illness immediate steps could not be taken for obtaining the certified copy of the judgment and decree of the appeal Court below which caused the initial delay and thereafter due to illness of the learned advocate engaged by her in this Court, the appeal could not be filed even after obtaining the said certified copy within the stipulated period of limitation.

The explanation offered to justify the delay is satisfactory as such the delay of 150 days in preferring the instant Second Appeal is condoned.

S.A.T. 470 of 2015 be registered.

C.A.N. 9914 of 2016 is thus disposed of without any order for costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)