



109  
16.12.2024  
Ct. No.2  
b.das

**IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri  
Civil Appellate Jurisdiction**

**FMAT (MV) 88 of 2024  
+  
CAN 1 of 2024**

Mr. Gobinda Saha  
...for the Appellant.  
Mr. Hirak Barman  
Mr. Chandan Ray ...for the respondent no.2.

Affidavit of service filed by the appellant is taken on record.

None appears for the 1<sup>st</sup> respondent despite service.

Heard learned counsels for the appellant and the 2<sup>nd</sup> respondent.

The appellant seek condonation of delay in preferring the appeal.

Good grounds being shown, the delay is condoned.

The application being CAN 1 of 2024 is disposed of.

The appeal is admitted.



Since the 2<sup>nd</sup> respondent is represented, copy of the memorandum of appeal along with annexure thereto be served upon the learned counsel for the 2<sup>nd</sup> respondent within one week from date.

The appellant is also directed to serve copy of the copy of the memorandum of appeal along with annexure thereto upon the 1<sup>st</sup> respondent and file affidavit of service on the adjourned date.

Trial Court records be called for.

Paper books be prepared within four weeks from receipt of the Trial Court records.

Let the matter be placed before the next available Circuit Bench.

**(Suvra Ghosh, J.)**