

Party Name : Union Of India Vs Harendra Debbarma And Anr

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THE HONBLE MR. JUSTICE S.C.DAS

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Learned counsel Mr. P. Majumder on behalf of learned ASG is present for the appellant petitioner. Learned counsel Mr. G. S. Bhattacharjee for the respondent No.2 is also present. Notice of respondent No.1 was sent by registered post with A.D. on 25.11.2013. A.D. card not yet returned. The registered letter also not returned without service. The notices by registered post were sent to the respondent Nos. 1 and 2 on the same date and respondent No.2 appeared through learned Advocate, Mr. G. S. Bhattachajree. Since the registered letter is not returned without service and more than 5 months have been elapsed in the meantime, it is presumed that the notice has been properly served on respondent No.1. Heard learned counsel Mr. Majumder and learned counsel Mr. G.S. Bhattacharjee on the prayer of condonation of delay of 329 days in filing connected L.A. Appeal No. 64 of 2013 challenging the judgment and award dated 21.01.2012 passed by learned L.A. Judge, North Tripura, Kailashahar in case No. Civil Misc. (L.A.) 36 of 2009. Learned counsel Mr. Bhattacharjee fairly submitted that delay may be condoned and the appeal may be accepted for disposal on merit. The reasons for the delay have been explained in the petition which is supported by affidavit. Since there is no opposition regarding condonation of delay and since the reasons assigned are found to be satisfactory, the delay stands condoned. The CM application stands disposed of.