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13.03.2020.  
s.r/b.d.

**Calcutta High Court  
In the Circuit Bench at Jalpaiguri  
Appellate Jurisdiction**

**CAN No.1 of 2019  
in  
M.A.T. 54 of 2019**

**Md. Kazi Mostafa Kamal Rabbani  
-Vs-  
State of West Bengal & Ors.**

**Mr. Anirban Banerjee  
...for the Appellant.**

**Mr. Debabrata Dhar (AGP)  
Ms. Paramita Sahu ....for the State.**

The appeal is pending for some time now. The appeal was taken up on March 3, 2020 with the finding that none was appearing in support of the appeal. Learned advocate for the State was requested to inform the learned advocate appearing for the appellant. The matter was fixed on March 6, 2020. On March 6, 2020, none appeared for the appellant.

Learned advocate for the State submits that messages were sent by him to the learned advocate for the appellant subsequent to March 3, 2020 and March 6, 2020.

Today an advocate appears and prays for adjournment on behalf of the appellant. Considering the conduct of the appellant as noted above, we are unable to accept the prayer for adjournment.

Since the leaned advocate seeking adjournment, is unable to proceed with the matter, we are constrained to dismiss the appeal and the connected application for default.

Accordingly, CAN 1 of 2019 and MAT 54 of 2019 are dismissed for default.

**( Kausik Chanda, J.)**

**( Debangsu Basak, J.)**